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**From:** Lizzy Mullins [lmullins@pestworld.org]  
**Sent:** 2/28/2018 7:39:49 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Speaker agreement  
**Attachments:** Speaker Agreement - Beck.docx

Hi Nancy,

Attached is the speaker agreement for the upcoming 2018 Legislative Day for you to review and fill out. Can you please send it back along with your speaker bio, speaker headshot, and other required information listed within the agreement? Let me know if you have any questions and look forward to seeing you in a few weeks.

Thank you,

***Lizzy***

Elizabeth Mullins, CMP  
Meetings & Exhibits Coordinator

**Ex. 6**

[lmullins@pestworld.org](mailto:lmullins@pestworld.org)



Don't forget to [update your member profile](#)

## PRESENTATION SERVICES AGREEMENT

**Event Name and Date:** 2018 Legislative Day – March 18 - 20, 2018

**Hotel Information:** Capital Hilton - 1001 16th St NW, Washington, DC 20036 – (202) 393-1000

*Please verify your name and company information is correctly displayed below or provide any missing information.*

**Speaker:** Nancy Beck

**Company:** OCSPP

**Session Title:** The Impact of Pesticide Regulatory Reform on Structural Pest Management Industry

**Date and Time:** Monday, March 19 - 9:15 am -10:15 am

*PLEASE NOTE: NPMA requests that speakers do not sell or promote products or services during the presentation.*

**Exchange of Services:** In exchange for your service and full participation, NPMA is pleased to provide:

- One Complimentary Full Registration - NPMA staff will ensure you are registered for the 2018 Legislative Day.

### Hotel Arrangements: Due by Friday, March 2, 2018

It is the **SPEAKER'S RESPONSIBILITY** to make their hotel reservations at the Capital Hilton, DC. Please provide NPMA with your arrival and departure dates along with your confirmation number provided by the hotel. **Please Initial Here:** \_\_\_\_\_

**Arrive:** \_\_\_\_\_ **Depart:** \_\_\_\_\_ **Confirmation#** \_\_\_\_\_

### Speaker Presentations and Audio/Visual Requirements: Due by Friday, March 9, 2018

For your presentation, NPMA will provide the following equipment in each meeting room:

- ◆ Lavalier microphone
- ◆ Podium and microphone
- ◆ Laptop and data projector

Please bring your presentation on a thumb drive / memory stick, compatible with Microsoft Office Professional 2003 and Windows XP Professional. NOTE: Our systems are not MAC compatible so please plan accordingly.

Please note any additional A/V requirements: \_\_\_\_\_

### Presentation Posting and Audio Release:

As part of the conference educational materials the materials that you deliver may be made available to conference participants on the NPMA website. By agreeing to this term, you consent to the duplicating and distribution of the material(s) that you deliver to this conference. This in no way inhibits you from using your own materials in any manner you so desire. Presentations will be posted on the NPMA website in a PDF format.

#### Please Initial below:

\_\_\_\_\_ Yes, I give my permission to allow NPMA to post a copy of my presentation on the NPMA website

\_\_\_\_\_ No, I will not allow NPMA to post a copy of my presentation on the NPMA website



**Deadlines at a**

**Glance:**

**Due by Friday, March 9, 2018**

- ☐ Signed Speaker Presentation Agreement
- ☐ Biographical Sketch (200 words or less)
- ☐ Headshot/picture of speaker

**Due by Friday, March 2, 2018**

- ☐ Hotel Information to NPMA

**Due by Friday, March 9, 2018**

- ☐ Speaker Presentation and Audio/Visual Requirements

**Acceptance of Agreement**

In witness whereof, the parties accept the services and fees described and have signed this Agreement as of the date shown below.

**Speaker Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Please email or fax your completed form to Lizzy Mullins at:

National Pest Management Association  
10460 North Street ♦ Fairfax, VA 22030  
Ex. 6 ♦ 703-352-3031 (fax)  
lmullins@pestworld.org

Message

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**From:** Cindy Smith [csmith@gowanco.com]  
**Sent:** 1/29/2018 9:22:13 PM  
**To:** Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**Subject:** RE: Gowan Group of Companies  
**Attachments:** EPA Administrator Pruitt External Meeting Request Form.docx

Tate – thanks so much for your quick response. I have attached the completed form. I will talk with our CEO and see when she might be in DC. Thanks. Cindy

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**From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]  
**Sent:** Monday, January 29, 2018 12:43 PM  
**To:** Cindy Smith <csmith@gowanco.com>  
**Cc:** Beck, Nancy <Beck.Nancy@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>  
**Subject:** RE: Gowan Group of Companies

Hi Nancy! Haven't forgotten you. Unfortunately, he likely will not make it to Yuma before March, but let us know if your CEO happens to be in the D.C. area soon. Also, can you please fill out this external meeting request form in case he does make it out that direction later this year? Thank you!

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**From:** Cindy Smith [mailto:csmith@gowanco.com]  
**Sent:** Thursday, January 25, 2018 10:22 PM  
**To:** Bennett, Tate <Bennett.Tate@epa.gov>  
**Cc:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** Gowan Group of Companies

Hi Tate – I was in a meeting with you and Nancy several months ago on some specific issues related to pesticides and EPA decisions. I have also heard that Administrator Pruitt might be interested in talking directly with CEOs of companies about how EPA actions and policies directly impact our business. Gowan is unique as I believe we may be the only remaining 100% family owned basic registrant of pesticides in the U.S. Our headquarters is in Yuma, Arizona. Our company was started by Jon Jessen about 55 years ago. Today Jon remains active as the Chairman of the Board and his daughter Juli is our CEO. We have businesses that provide crop protection inputs (conventional and organic), seed (primarily vegetables), a pesticide manufacturing facility (in Yuma) and retail operations (Yuma, Imperial Valley and Salinas) with certified pest control advisors that walk fields and make recommendations for growers. A trip to Yuma would allow the Administrator to see our operations and talk with our CEO but also because this happens to be one of the most active seasons in ag production in Yuma so he could also see those operations. A large percentage of winter vegetables (lettuce, broccoli, cauliflower, etc.) are grown in Yuma. So if you are eating a salad this time of year –the lettuce was very likely grown in Yuma. We would greatly welcome the opportunity for the Administrator to visit Yuma to see agricultural production and to talk with our CEO and other family members directly involved in our businesses. I know Administrator Pruitt is very busy and I am sure he gets lots of requests to visit locations –but if he can work this in to any of his travel plans, we would be honored to showcase our community, the agriculture and our business so he can get some first-hand knowledge of how EPA actions impact a family owned business and a community in rural America. The winter vegetable production will start winding down in March so there is a window of opportunity if it works with his schedule to come to Yuma sometime in the next 6-8 weeks. If that doesn't work we would be happy to

come to his office with our CEO and talk with him as well. We really appreciate the consideration for our request and please let me know if you would like any additional information. Thanks Cindy

Cindy Smith  
Agricultural Relations Director  
Gowan



## ***Meeting Request Form for Administrator Scott Pruitt***

**Today's Date:** January 29, 2018

**Meeting Date:** Any time the Administrator is available –if possible before March 31, 2018 to maximize the chance to see agriculture production at the same time.

**Meeting Time:** Any time the Administrator is available

**Requested Location (if offsite, please list address, parking instructions, etc.):** Yuma, Arizona. Gowan Headquarters are located at 370 S Main Street, Yuma, Arizona 85365

**Requestor:** Cindy Smith, Agricultural Relations Director, Gowan Company

**Purpose of the Meeting:** To talk with the Administrator about the impacts of EPA regulations on a family owned business in rural America. Additionally, because we are based in an agricultural community we could arrange a tour of agriculture in addition to seeing our offices and manufacturing plant.

**Background on the Meeting:** Gowan is a family owned business based in the rural agricultural community of Yuma, Arizona. We are a basic manufacturer and distributor of crop protection products but also have retail operation that employ employee certified crop consultants who walk fields and make recommendations for growers and a seed business that specializes in vegetable and more recently cotton seed.

**Role of the Administrator:** To share with us his vision for EPA and to hear from the owners of the business – the father, daughter and sons about the impacts of government regulation.

**Attendees:** Jon Jessen (Father, Chairman of the Board), Juli Jessen (Daughter and CEO) and Mark Jessen (Son ad Manager of the Retail and Seed Operations).

**Point of Contact:** Cindy Smith Ex. 6



Message

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**From:** Cindy Squires [cindy@iwpawood.org]  
**Sent:** 3/8/2018 6:42:05 PM  
**To:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Formaldehyde Litigation -- Wood industry is awaiting EPA OGC sign off  
**Attachments:** Ltr to EB re Joint Stip SC v Pruitt 3.8.pdf

**Importance:** High

Mr. Jackson,

You may recall that I spoke with your previously about the formaldehyde regulation for composite wood products and a Sierra Club lawsuit. Time is of the essence. We need EPA to sign off on a joint stipulation today so that we can finalize the stipulation and meet tomorrow's court imposed deadline.

The trade associations, DOJ and Sierra Club have an agreement in principal that we are eagerly awaiting EPA OGC sign off. **If we are unable to reach this agreement it will throw billions dollars of existing wood products in inventory out of compliance and unable to be sold.**

We stand ready to answer any questions and very much appreciate your quick attention to this matter. Please find the attached letter sent to Erik Baptist outlining the situation.

Thank you,

**Cindy L. Squires, Esq**

Executive Director

International Wood Products Association

4214 King Street | Alexandria, VA 22302 | USA

**Ex. 6**

Skype:

**Ex. 6**

| [Cindy@IWPAAwood.org](mailto:Cindy@IWPAAwood.org)



*IWPA's mission is to build acceptance and demand in North America for globally sourced wood products from sustainably managed forests.*



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JSAVAGE@SIDLEY.COM

Ex. 6

March 8, 2018

**By Email**

Mr. Erik Baptist  
Senior Deputy General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460  
Mail code: 2310A

Dear Mr. Baptist:

I write on behalf of the American Home Furnishings Alliance, Inc., Composite Panel Association, the International Wood Products Association, Kitchen Cabinet Manufacturers Association, the National Association of Home Builders, and the Window and Door Manufacturers Association (collectively the “Associations”).

The Associations collectively represent hundreds of thousands of businesses that comprise the composite wood product supply chain. Our member companies employ millions and are spread across every state in the nation.

We have been actively involved in assisting the U.S. Environmental Protection Agency’s (“EPA’s”) defense of Sierra Club’s challenge to the compliance extension for the emissions standards in the Formaldehyde Rule. *See Sierra Club v. Pruitt*, No. 4:17-cv-6293-JSW (N.D. Cal.). Our member companies relied in good faith on that compliance extension, which was intended to provide an orderly path toward a December 12, 2018 compliance deadline.

As you know, the Court recently vacated the compliance extension. That vacatur risks disrupting the composite wood supply chain, putting at risk billions of dollars of inventory and thousands of jobs. Although the Court temporarily stayed the vacatur, it set a deadline of **tomorrow at 7:00 pm Eastern time** for a joint submission addressing the vacatur or further briefing from the parties.

The Associations have appreciated working with your staff, particularly, Mr. Steve Anderson, as well as Ms. Leslie Hill at the U.S. Department of Justice (“DOJ”), on a Joint Stipulation to file on March 9 in response to the Court’s Order. We have also conferred with counsel for the Plaintiffs, Sierra Club and A Community Voice-Louisiana, on the key principles that would be appropriate for the Joint Stipulation.

Sidley Austin (DC) LLP is a Delaware limited liability partnership doing business as Sidley Austin LLP and practicing in affiliation with other Sidley Austin partnerships.

Erik Baptist  
March 8, 2018  
Page 2

One of the critical terms of the Joint Stipulation would allow industry to comply with the California Air Resources Board's ("CARB's") formaldehyde certification during an interim period through March 22, 2019.<sup>1</sup> This is *not* a judicially imposed term; nor is it a request for the Judge to re-write the Formaldehyde Rule.

Instead, the Associations respectfully request that the Joint Stipulation reflect a plain language interpretation of an existing provision of the Formaldehyde Rule, the CARB Reciprocity regulation. That regulation provides that:

*If a product is certified by a CARB approved TPC [third-party certifier] that is also recognized by EPA, the product will also be considered certified under TSCA Title VI until March 22, 2019 after which the TPC needs to comply with all the requirements of this part as an EPA TSCA Title VI TPC under Section 770.7(d) in order for the product to remain certified.*

40 C.F.R. § 770.15(e) (emphasis added).

Consistent with the language of the regulation, the Joint Stipulation would allow a CARB compliant product to be recognized as compliant under EPA's Formaldehyde Rule through March 22, 2019. This principle is supported not only by the Associations, but Plaintiffs as well.

Nonetheless, we understand that EPA may have concerns that the Joint Stipulation reflects a "re-interpretation" of the CARB Reciprocity regulation that may create litigation risk. We trust that sharing our perspective may alleviate those concerns.

**The Joint Stipulation does not require EPA to formally reinterpret a regulation.** We understand that EPA staff may have previously taken a more narrow view of the CARB Reciprocity regulation during informal discussions with the regulated community. However, informal verbal discussions are not official interpretations that bind the agency. *See, e.g., C.J.L.G. v. Sessions*, 880 F.3d 1122, 1149 n.19 (9th Cir. 2018) ("We accord no deference to an agency's unofficial, non-binding statements of policy that are unmoored from any interpretation of the governing statute or its regulations."). Nor does the single passing reference to CARB reciprocity in the preamble to a recent rule<sup>2</sup> overcome the plain text of the regulation. *See, e.g.,*

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<sup>1</sup>The emission standards of the CARB rule and the EPA rule are identical; there are some minor nuances in other provisions that make this very important.

<sup>2</sup>82 Fed. Reg. at 44535, Col. 1 ("Additionally, this final action will extend the transitional period during which the CARB TPCs may certify composite wood products under TSCA Title VI without an accreditation issued by an EPA



Erik Baptist  
March 8, 2018  
Page 3

*El Comite Para El Bienestar de Earlimart v. Warmerdam*, 539 F.3d 1062, 1070 (9th Cir. 2008) (“[T]he preamble language should not be considered unless the regulation itself is ambiguous.”); *Wards Cove Packing Corp. v. Nat’l Marine Fisheries Serv.*, 307 F.3d 1214, 1219 (9th Cir. 2002) (“[T]he plain meaning of a regulation governs and deference to an agency’s interpretation of its regulation is warranted only when the regulation’s language is ambiguous”).

**The U.S. Supreme Court recently clarified that an agency’s change in a regulatory interpretation does not trigger an obligation to undergo notice-and-comment rulemaking procedures under the Administrative Procedure Act (APA).** *Perez v. Mortgage Bankers Association* abrogated longstanding D.C. Circuit precedent that required an agency to use “APA’s notice-and-comment procedures when it wishe[d] to issue a new interpretation of a regulation that deviates significantly from one the agency has previously adopted.”<sup>3</sup> Thus, *Perez* shows that the interpretation of the CARB Reciprocity regulation stands on firm procedural footing, even if it were to be considered to be a “re-interpretation.”<sup>4</sup>

**The interpretation of the CARB Reciprocity rule is one supported by Plaintiffs Sierra Club, and A Community Voice – Louisiana, and the Associations.** While not dispositive in the agency’s decision-making, it is a relevant factor in assessing the practical risk of litigation. How often do Sierra Club and six trade associations agree on an interpretation of an EPA regulation? That unique circumstance reflects a broad stakeholder consensus that ought to be reflected in agency policy.

**Even if a third-party wished to challenge the proffered interpretation of the CARB Reciprocity regulation, no one would have legal standing to do so.** There is no environmental

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TSCA Title VI Accreditation Body so long as the TPC remains approved by CARB, is recognized by EPA and complies with all aspects of the December 12, 2016, final rule until March 22, 2019.”).

<sup>3</sup>*Perez v. Mortgage Bankers Assoc.*, 575 U.S. \_\_\_\_ (2015) (“When a federal administrative agency first issues a rule interpreting one of its regulations, it is generally not required to follow the notice-and-comment rulemaking procedures of the Administrative Procedure Act (APA or Act). See 5 U. S. C. §553(b)(A). The United States Court of Appeals for the District of Columbia Circuit has nevertheless held, in a line of cases beginning with *Paralyzed Veterans of Am. v. D. C. Arena L. P.*, 117 F. 3d 579 (1997), that an agency must use the APA’s notice-and-comment procedures when it wishes to issue a new interpretation of a regulation that deviates significantly from one the agency has previously adopted. The question in these cases is whether the rule announced in *Paralyzed Veterans* is consistent with the APA. We hold that it is not.”).

<sup>4</sup>An agency’s expression of a regulatory interpretation in a pleading, such as the Joint Stipulation, is not unusual. For example, the U.S. Supreme Court has deferred to NHTSA’s interpretation of the Motor Vehicle Safety Act offered in an amicus brief. See *Geir v. American Honda Motor Company, Inc.*, 529 U.S. 861, 883 (2000).

Erik Baptist  
March 8, 2018  
Page 4

or public health impact from EPA's interpretation. As EPA has acknowledged, "[t]he formaldehyde emission standards for composite wood products under the EPA final rule, and set by Congress, are identical to the California 'Phase 2' formaldehyde emission standards."<sup>5</sup> No injury-in-fact therefore flows from the interpretation of the CARB Reciprocity regulation.

**The consequences of the Court lifting the stay are severe and pervasive.** We have shared declarations from the Associations explaining that the Court's vacatur puts in jeopardy thousands of jobs for producers, importers and manufacturers of composite wood products, as well as downstream industries such as homebuilding, furniture making and cabinet manufacturing. The Joint Stipulation avoids that risk.

\*\*\*\*

Time is of the essence. In order to meet the Court's deadline tomorrow, we need to be able to share a draft of the Joint Stipulation as soon as possible with Sierra Club's counsel. To that end, please feel free to reach out with any questions or concerns at Ex. 6 We appreciate EPA's consideration of our position and its importance to avoiding a major supply chain disruption.

Sincerely,

*/s/ Justin Savage*

Justin A. Savage

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<sup>5</sup>EPA, Consumer Frequently Asked Questions on the Formaldehyde Standards for Composite Wood Products Act, available at <https://www.epa.gov/formaldehyde/consumer-frequently-asked-questions-formaldehyde-standards-composite-wood-products-act>

Message

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**From:** Sarah Amick [samick@ustires.org]  
**Sent:** 3/1/2018 7:46:35 PM  
**To:** Bertrand, Charlotte [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f044d768e05842e1b75321ff6010e1b8-Bertrand, Charlotte]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Meeting request  
**Attachments:** Comments to Docket Id No. EPA-HQ-OPPT-2017-0586.pdf

Dear Acting Principal Deputy Assistant Administrator Bertrand,

I am writing to request a meeting with you and your staff on behalf of five downstream trade associations the American Forest & Paper Association, Plastics Industry Association, Motor & Equipment Manufacturers Association, Toy Association, Inc., and the U.S. Tire Manufacturers Association.

We welcome the opportunity to meet with EPA to review issues raised in our comments on EPA's "Approaches for Identifying Potential Candidates for Prioritization for Risk Evaluation under Amended TSCA" (Please see attached comments to docket ID number EPA-HQ-OPPT-20170586). In these comments we recommended that EPA set up a voluntary information outreach framework for downstream chemical users to voluntarily share information on materials with the agency on substances used in products. As downstream manufacturers we have valuable information on the use of chemicals in products and we would like to discuss with the agency opportunities to share information with the agency.

We have coordinated with our group to identify our availability for a meeting with agency. Below are two dates and times that work for us on these days:

- March 20<sup>th</sup> – 3pm – 4pm
- March 22<sup>nd</sup> – anytime between Noon and 5pm

I look forward to hearing from you.

Best regards,

SARAH E. AMICK

Vice President EHS&S and Senior Counsel

**Ex. 6**

1400 K Street, NW #900 \* Washington, DC 20005

@USTireAssoc \* [USTires.org](http://USTires.org)



***\*\*Please update your records! Our name, emails and domain have changed.\*\****

January 25, 2018

Via Docket Submission

U.S. Environmental Protection Agency  
Office of Pollution Prevention and Toxics  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Re: Approaches for Identifying Potential Candidates for Prioritization for  
Risk Evaluation under Amended TSCA; Docket Number EPA-HQ-OPPT-2017-  
0586

Dear Sir or Madam:

The Ad Hoc Downstream Users Coalition<sup>1</sup> (Downstream Users) supports implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act (TSCA), and welcome this opportunity to assist the Environmental Protection Agency (EPA) by providing our unique perspective on EPA's "Approaches for Identifying Potential Candidates for Prioritization for Risk Evaluation."<sup>2</sup> The members of the trade associations that compose the Downstream Users represent well over a thousand companies, including companies that manufacture products and, in some cases, other companies involved in additional portions of the product supply chain.<sup>3</sup>

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<sup>1</sup> The Ad Hoc Downstream Users Coalition include, in alphabetical order, the American Forest & Paper Association (AF&PA), the Motor & Equipment Manufacturers Association (MEMA), the Plastics Industry Association (PLASTICS), the Toy Association and the U.S. Tire Manufacturers Association (USTMA). Each association is a not-for-profit organization serving as a collective voice for their respective members. There are other trade associations that represent companies in the supply chain and downstream users. These comments represent only the views of the aforementioned trade associations.

<sup>2</sup> The six approaches upon which EPA seeks comment are: (a) the TSCA Work Plan as a Tool; (b) Canada's Chemicals Management Plan; (c) utilizing Safer Chemicals Ingredients List for the low risk classification; (d) the Functional Category Approach, based on Use and Exposure Potential; (e) the Functional Category Approach, based on Chemical Structure and Function; and (f) the Integration of Traditional and New Approaches (see EPA's Discussion document on Possible Approaches and Tools for Identifying Potential Candidate Chemicals for Prioritization). EPA also seeks public comment on other analogous regulatory prioritizing processes.

<sup>3</sup> AF&PA serves to advance a sustainable U.S. pulp, paper, packaging, and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative – *Better Practices, Better Plant 2020*. The forest products industry accounts for approximately 4 percent of the total U.S. manufacturing GDP, manufactures approximately \$200 billion in products annually, and employs nearly 900,000 men and women. The industry meets a payroll of approximately \$50 billion annually and is among the top 10 manufacturing sector employers in 45 states (<http://www.afandpa.org/>)

MEMA represents more than 1,000 members that manufacture motor vehicle systems and component parts for the original equipment and aftermarket segments of the light vehicle and heavy-duty industries. Motor vehicle suppliers provide over 77 percent of the value of a new vehicle and more than 871,000 jobs are directly supported by the

TSCA, as amended, directs EPA to establish a risk-based screening process to designate chemicals as high priority or low priority for risk evaluation (§6(b) (1)). EPA states that the purpose of prioritization is:

to designate a chemical substance as either High-Priority for further risk evaluation of whether the substance may present an unreasonable risk, or Low-Priority for which risk evaluation is not warranted at the time. By December 22, 2019, EPA must have designated at least 20 chemical substances as High-Priority and 20 chemical substances as Low-Priority. TSCA further requires that upon completion of a risk evaluation (other than those requested by a manufacturer), EPA must designate at least one additional High-Priority chemical to take its place, thus ensuring that the EPA's risk evaluation queue always remains full. Prioritization is a priority-setting step. High-Priority designations are not indications of risk and Low-Priority designations are not indications of safety.<sup>4</sup>

These sweeping statutory reforms require EPA to transform the legislation into a practical program for selecting existing substances for prioritization without undermining the intent of the expedited timeframes set by Congress for completing the prioritization and risk evaluation phases.

In developing its prioritization program, it is particularly important that EPA understands and appreciates the unique perspectives of downstream users. The member companies who make up the trade associations in this ad hoc coalition are the face to the average consumer of the process of evaluating "existing" chemicals. The products (containing the substances as to which regulatory risk may be evaluated) are manufactured and/or distributed in commerce by these companies. It is these companies (not the chemical manufacturers) that may be required to reformulate their products if risk is determined or may be contacted by the consumer with questions and concerns. It is their businesses and reputations on the line. These companies do not simply desire, but need, clarity, an efficient, scientifically sound, decision making process that addresses those substances that may present the greatest potential

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motor vehicle supplier industry in all 50 states. MEMA represents its members through four divisions: Automotive Aftermarket Suppliers Association (AASA); Heavy Duty Manufacturers Association (HDMA); Motor & Equipment Remanufacturers Association (MERA); and, Original Equipment Suppliers Association (OESA).

PLASTICS is a diverse manufacturing trade association that represents companies who manufacture or otherwise are in the supply chain for plastic products (including material suppliers, processors, equipment & moldmakers, brand owners, and recyclers). These companies employ 965,000 plastics workers nationwide. The PLASTICS provides leadership, guidance and support that will bring about continual improvement in worker safety, environmental and product regulatory performance in the plastics industry, while supporting the use of good science and public policy, and promoting and serving member interests. (<http://www.plasticsindustry.org/>).

The Toy Association is the not-for-profit trade association representing businesses that design, produce, license, and deliver toys and youth entertainment products with 950+ members. The organization has a long history of propelling the health and growth of the toy industry, which has an annual U.S. economic impact of \$107.5 billion.

USTMA is the national trade association for tire manufacturers that produce tires in the U.S. USTMA members operate manufacturing facilities in 19 states, employ nearly 100,000 workers and generate annual sales of more than \$27 billion. (<https://www.ustires.org/>)

<sup>4</sup> EPA, Prioritizing Existing Chemicals for Risk Evaluation, available at <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/prioritizing-existing-chemicals-risk-evaluation>.

risk. Therefore, given the distinct perspective of downstream users, we ask EPA to give careful consideration to our perspective in implementing TSCA.

To achieve meaningful risk reduction, the prioritization (and eventually the risk evaluation) process must be credible. To be credible, a process needs to be established to facilitate the exchange of information by stakeholders all along the value chain. We support EPA's efforts to seek meaningful information from all stakeholders concerning ways to address the critical task of identifying candidate chemicals for prioritization, and for providing the opportunity to provide these written comments. The associations that represent the downstream user companies desire to work cooperatively with EPA to develop and start implementing expeditiously a workable prioritization process for existing substances. As explained in more detail in these comments, the coalition supports a permanent and predictable "Information Outreach Framework" (Outreach Framework) for companies to provide information expeditiously to inform EPA's decision making under TSCA.

Specifically, we respectfully ask EPA to establish a transparent Outreach Framework process and form for providing information to the agency that enable downstream users to understand the process (and its timing), plan for providing information to EPA, and make other appropriate decisions. This framework should allow electronic data entry through CDX and be linked to particular Federal Register dockets for tracking purposes, and also provide a mechanism for companies to correct errors and supplement with newly discovered information within a reasonable period of time.

#### **I. DOWNSTREAM USERS ARE A VALUABLE SOURCE OF INFORMATION FOR THE CONDITIONS OF USE OF SUBSTANCES**

Under TSCA, downstream users may face requirements to change their ingredients while satisfying consumer expectations on performance, safety, and other characteristics, as well as other non-TSCA regulatory requirements that may apply to the products they produce. Downstream users are an important resource for information on conditions of use.

However, the amount of information now required under TSCA and the consequences of an unreasonable risk finding raise the stakes considerably. While Downstream Users are likely to have more and, in our view, often more reliable and extensive data on conditions of use and potential exposures, we also recognize that there are likely to be areas where there are data gaps. Downstream user trade associations and their member companies may be able to identify any potential data gaps regarding use and exposure to substances under EPA consideration. In such situations, the Outreach Framework also serves as a mechanism to identify and, where appropriate, fill these gaps in a cost-effective, expeditious, and cooperative manner. In short, we may not always have all of the data, but we have an incentive to assist in filling any data gaps.

It is in the best interest of companies up and down the supply chain and companies that use the substances being prioritized in their manufacturing processes (downstream chemical users) to share information on conditions of use and exposure.<sup>5</sup> Downstream Users members are well-positioned to

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<sup>5</sup> Some information submitted may be confidential business information (CBI), *i.e.*, its disclosure may provide other companies with an advantage in the marketplace. See TSCA § 14, as amended, and EPA's TSCA website, available at: <https://www.epa.gov/tsca-cbi>. Such CBI will be submitted with the appropriate CBI claim, reviewed, and (we anticipate) granted if it satisfies CBI requirements.

provide much of the information that is necessary for appropriate prioritization of which chemicals should undergo a risk evaluation. An improper prioritization methodology is not only cost-ineffective, but delays the regulation of chemicals that truly warrant a more expeditious risk evaluation.

## II. EPA SHOULD ESTABLISH AN “INFORMATION OUTREACH FRAMEWORK”

Given the short time frames (prioritization is a 9-12 month process with a deadline of March 2019 for the first 20 high-priority and 20 low-priority chemicals), the ability of Downstream Users to assist in quickly developing a mechanism to obtain sufficient information is essential.<sup>6</sup> To be consistent with these deadlines, the time EPA takes to select the chemicals it will prioritize should not be any longer, and ideally will be shorter, than the statutory deadlines set by Congress to complete the process. That will mean there is insufficient time for EPA to promulgate a regulation requiring information submission or to develop a myriad of detailed testing orders to gather the information the agency may need in order to identify substances for prioritization. A determination that more information is needed to enter the prioritization process will most likely place a chemical on a separate track for information development.

EPA needs to prioritize approaches that allow for collecting information on exposure scenarios as much as possible. Thus, the Downstream Users urge EPA to adopt at the pre-prioritization stage guidance that creates an Outreach Framework to allow Downstream User companies and their trade associations to provide relevant information to EPA as quickly as possible. This information includes the content of chemicals in products, analysis of exposure scenarios, and calculation of exposure.

In general, the sooner EPA can give notice to stakeholders (particularly Downstream Users) of its intent to prioritize a particular chemical, the better. That way, the regulated community can budget resources and work diligently to gather information the agency needs to move forward in the prioritization process and use this information in corporate internal decision making. Gathering data will take time and EPA does not have the resources to perform the testing itself, so will need to rely on data submitted by regulated entities.

The most efficient method of gathering relevant existing data and obtaining scientifically sound new data is to establish an Outreach Framework that alerts industries as early as possible concerning which chemicals and conditions of use might be subject to review. In this manner, companies and/or their trade associations can provide relevant and scientifically sound exposure information as quickly as feasible. These data would enable EPA and the companies to distinguish among conditions of use that may result in widely different exposure levels.

The Outreach Framework is consistent with EPA’s own TSCA prioritization principle of relying on input from stakeholders to identify potential prioritization candidates.<sup>7</sup>

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<sup>6</sup> EPA, *Prioritizing Existing Chemicals for Risk Evaluation*, available at: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/prioritizing-existing-chemicals-risk-evaluation#preprioritization>.

<sup>7</sup> EPA’s Discussion document on Possible Approaches and Tools for Identifying Potential Candidate Chemicals for Prioritization at 11 (December 11, 2017).

### III. EPA MUST DEVELOP ITS RISK PRIORITIZATION SCHEME CONSISTENT WITH THE INTENT OF CONGRESS

We provide the following comments on the intent of Congress because we support TSCA. The goal of these comments is to ensure that EPA's implementation addresses the perspective of the Downstream Users. We believe that addressing our perspective is consistent with the intent of Congress.

As a starting point, as Chief Justice Roberts recently emphasized:

In a democracy, the power to make the law rests with those chosen by the people. Our role is more confined – “to say what the law is.” [Citation omitted] .... A fair reading of legislation demands a fair understanding of the legislative plan. ... If at all possible, we must interpret the Act in a way that is consistent with the ... purpose of the Act], and avoids” an interpretation that would, in effect, destroy the statutory scheme.<sup>8</sup>

When a statute is as complex as TSCA, as amended, the process of determining “what the law says,” is even more important. High priority substances are defined as those that “may present an unreasonable risk of injury to health or the environment because of a potential route of exposure under the conditions of use.” (§6(b)(1)). Low priority substances are those that do not meet the definition of high priority substances under the Act.

The statutory factors to consider in prioritization include (1) The chemical substance's hazard and exposure potential; (2) the chemical substance's persistence and bioaccumulation; (3) potentially exposed or susceptible subpopulations; (4) storage of the chemical substance near significant sources of drinking water; (5) the chemical substance's conditions of use or significant changes in conditions of use; and (6) the chemical substance's production volume or significant changes in production volume. § 6(b) (1) (A).<sup>9</sup> To determine how best to select which chemicals to prioritize, one must consider the plain meaning of a variety of statutory terms, the context of prioritization in the statutory structure, and the historic use of risk and prioritization in regulatory decision making.

Although the consideration of risk in a risk prioritization process is different, simpler, and less detailed than in a risk calculation performed for a risk evaluation, the risk prioritization process must follow the same overarching statutory principles. EPA must integrate and analyze the weight of all of

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<sup>8</sup> *King v Burwell*, 135 S.Ct. 2480, 2488 (2015), available at [https://www.supremecourt.gov/opinions/14pdf/14-114\\_qol1.pdf](https://www.supremecourt.gov/opinions/14pdf/14-114_qol1.pdf). Also see Justice Scalia's direction that EPA must do its best to bear “in mind the ‘fundamental canon of statutory construction that the words of a statute must be read in their context and with a view to their place in the overall statutory scheme. *Utility Air Regulatory Group v. EPA*, 134 S. Ct. 2,427, 2,443 (2014) (*UARG v. EPA*).

<sup>9</sup> TSCA as amended requires that 50% of all High-Priority designations be drawn from 2014 Update of the TSCA Work Plan. However, aside from these statutory preferences and requirements, EPA has discretion to determine which chemicals to prioritize. EPA, Candidate Selection, available at <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/prioritizing-existing-chemicals-risk-evaluation#preprioritization>.



available information<sup>10</sup> (which includes toxicity, the potentially exposed or susceptible subpopulations, the likely duration, intensity, frequency, number of exposures under the conditions of use of the chemical substance).<sup>11</sup> All decisions must be “based on science,” used “in a manner consistent with the best available science,”<sup>12</sup> and based on the weight of the scientific evidence.<sup>13</sup> The conditions of use determine the amount of exposure and, in turn, are “critical to EPA’s final determination of whether a chemical is safe or presents an unreasonable risk that must be controlled.”<sup>14</sup> Many TSCA chemicals have multiple uses—industrial, commercial and consumer uses. Some “categories of uses pose greater potential for exposure than others and [there must be a recognition] that the risks from many categories of uses are deemed negligible or already well controlled.”<sup>15</sup> The statute is “clear that EPA has to make a determination on all conditions of use considered in the scope” of the work/problem formulation in the risk evaluation.<sup>16</sup>

EPA faces an admittedly formidable task to apply these principles to the prioritization process. It is not feasible to apply these decision making criteria in the abstract. However, on its face, the science criteria enunciated in TSCA, as amended, were added specifically to modify EPA’s practice<sup>17</sup> and existing

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<sup>10</sup> The weight of the evidence is a “systematic review method that uses a pre-established protocol to comprehensively, objectively, transparently, and consistently, identify and evaluate each stream of evidence, including strengths, limitations, and relevance of each study and to integrate evidence as necessary and appropriate based upon strengths, limitations, and relevance.” *Id.* at S3518. See House Report at page 33, available at: <https://www.congress.gov/114/crpt/hrpt176/CRPT-114hrpt176.pdf>.

<sup>11</sup> 15 U.S. Code § 2605 (b)(4) (F).

<sup>12</sup> 15 U.S.C. § 2625 (h).

<sup>13</sup> 15 U.S.C. § 2625 (i).

<sup>14</sup> Comments of Senator Vitter in the Senate Congressional Record at S3519 (June 7, 2016), <https://www.congress.gov/crc/2016/06/07/CREC-2016-06-07-pt1-PgS3511.pdf>.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> For example, the 2011 peer review of EPA’s toxicological review of formaldehyde by a National Academy of Science (NAS) points out in detail that EPA had failed to apply properly the weight of the evidence in regulatory contexts. Specifically, it states that there have been persistent “problems encountered with ... [the EPA risk] assessments over the years” which have been “identified by multiple groups.” NAS, Review of the Environmental Protection Agency’s Draft IRIS Assessment of Formaldehyde at 11 (April 2011) (NAS Formaldehyde Report), available at <http://www.nap.edu/catalog/13142.html> (prepublication copy) (“NAS Formaldehyde Risk Assessment Report”). In fact, sometimes EPA “conclusions appear to be based on a subjective view of the overall data, and the absence of a causal framework.” *Id.* at 8. The report urged EPA to use the extensive literature on causal inference, methods for evaluating the strength of evidence of causation, i.e., use of a systematic identification of relevant evidence, criteria for evaluating the strength of evidence, and language for describing the strength of evidence of causation. The NAS Formaldehyde report concluded that evaluating causation must involve “systematic gathering and review of all lines of evidence and classification of the strength of evidence in a uniform and hierarchic structure.” *Id.* Also, the report urged to improve the weight-of-evidence determinations.

case law also cautions against using excessive or too extreme exposure assumptions. Therefore, any of the approaches (particularly use of the Work Plan methodologies) should be re-evaluated in light of these statutory criteria.

#### **IV. COMMENTS ON EPA’S SIX APPROACHES AND RELEVANT ASPECTS OF OTHER RISK PRIORITIZATION PROGRAMS**

##### **A. Introduction**

The Downstream Users provide these views to improve the process. Downstream Users seek to establish a meaningful working relationship with EPA and to encourage dialogue and exchange of information (i.e., implement an Information Outreach Framework, as discussed in Section II, above). It is particularly important that this process be finalized in a timely manner and that the final process does not result in seemingly never ending review.

##### **B. The TSCA Work Plan As A Tool**

The statute requires a preference to include in the Work Plan chemicals that: (1) have persistence and bioaccumulation scores of 3; and (2) are known human carcinogens and have high acute and chronic toxicity. (§ 6(b)(2)(D)). Half of the high priority chemicals must be selected from the TSCA Work Plan.

This Work Plan has undergone multiple updates and changes. As a result, for example, there are transcription and other errors that exist in the Work Plan.<sup>18</sup> In some calculations, the Work Plan uses only the highest calculated value. In some cases, it may not consider the size of the potentially exposed population. The overuse of high end and worst-case assumptions can cumulatively distort priorities, particularly when coupled with incomplete databases (see further discussion of incomplete databases below).

Since TSCA has been amended, the Work Plan should be updated again to correct and update the screening factors to be consistent with the specific statutory criteria (see Section III, above). The updating of the Work Plan should consider the new statutory requirements (e.g., weight of the evidence, the best available science, and sensitive populations), and EPA should consider the likelihood of actual exposure. Weight of the evidence and the best available science also apply to the considerations for prioritization of impacts on sensitive populations. Thus, EPA should review the Work Plan to address any errors, update the information used, and consider the new statutory factors.

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<sup>18</sup> “While the PB score of 2 for 4tOP was transcribed correctly to the Work Plan Tables, the individual score for bioaccumulation was incorrectly transcribed to the Table as being moderate rather than low.” Comments of the Alkylphenols & Ethoxylates Research Council on Proposed Rule: Procedures for Prioritization of Chemicals for Risk Evaluation under the Toxic Substances Control Act at 5 (March 20, 2017).

### **C. Canadian Chemicals Management Plan**

While each of the potential approaches has advantages and disadvantages, the Downstream Users support several aspects of the Canadian Chemicals Management Plan. The use of an Outreach Framework is consistent with key aspects of Canada's Chemicals Management Plan.<sup>19</sup> The Canadian Chemicals Management Plan was based on strong stakeholder engagement, which began early in the process.<sup>20</sup> This early engagement led to buy-in to the approaches considered (and eventually adopted) which resulted in less industry opposition. It also allowed all parties to consider in a meaningful manner non-traditional and group approaches. Importantly, it contains predictable timeframes for when reviews will start and finish. As in the Downstream Users' proposed Outreach Framework, stakeholder engagement in the Canadian Chemical Management Plan played an essential role in developing information, gathering approaches and developing strategies. This approach confirms the benefits of obtaining evidence from industry and sharing preliminary decisions. The use of streamlined approaches was critical for meeting commitment to assess all priorities within 2020 timelines and "rapidly assessing low priorities with less effort and less time" (i.e., allowed for rapid screening for low volume chemicals).

### **D. Functional Category Approach, Based on Use and Exposure Potential**

Conceptually, the question the Downstream Users have with this approach, is whether EPA has sufficiently accurate information on uses and potential exposure to proceed with this approach. EPA recognizes that an interpretation of TSCA, as amended, that provides "no meaningful limitation" on EPA risk evaluations "could present unmanageable challenges—an outcome that EPA does not expect Congress intended."<sup>21</sup> The same unmanageable challenges and unintended outcomes (i.e., an interpretation that would, in effect, destroy or severely hamper the statutory scheme) can arise if the risk prioritization scheme relies too heavily on extreme exposure assumptions or over use of maximum values. EPA's models may need to be updated or expanded, and there is a general concern in industry that the agency's use of worst case assumptions leads to overly conservative findings.

The experience of the members of this coalition indicates that there are conditions of use for which data demonstrates there is little exposure, such as where chemicals are inaccessible when they are

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<sup>19</sup> Canada's Chemicals Management Plan, Approaches to Prioritization and to Streamlined Assessments, Power Point Presentation by Health Canada and Environment and Climate Change Canada at EPA's December 11, 2017 meeting, available at [https://www.epa.gov/sites/production/files/2017-12/documents/us\\_epa\\_cmp\\_deck\\_-\\_december\\_2017\\_v4.pdf](https://www.epa.gov/sites/production/files/2017-12/documents/us_epa_cmp_deck_-_december_2017_v4.pdf). No one alternative provides the ideal approach to all components of the risk prioritization process, but many of the aspects of the Canadian CMP support recommendations by the Downstream Users.

<sup>20</sup> Most, if not all, of these lessons learned are from the Power Point Presentation by Health Canada and Environment and Climate Change Canada at EPA's December 11, 2017 meeting, but the Downstream Users recommendation is based on our own independent understanding of this Plan. Not every aspect of this plan is being endorsed by this comment.

<sup>21</sup> EPA, Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act, 82 Fed. Reg. 33726, 33729 (July 20, 2017) (final rule) (Prioritization Final Rule).

a component of an article. However, there will be cases in which EPA has little data on exposure or where data on exposure is generally lacking. This type of information probably will need to be sourced from industry, hence the importance of Information Outreach Framework proposed above.

**E. Functional Category Approach, Based on Chemical Structure and Function**

It is likely that the chemical manufacturing industry will provide comments on this issue. This approach is outside most Downstream Users area of expertise. However, we submit that EPA should not designate a substance as high priority based solely on Chemical Structure and Function information. Some further basis should be provided, such as consideration of the factors enumerated in the statute and known data, until more experience with these chemical structure and function models is recognized.

**F. Integration of Traditional and New Approaches**

This approach seems similar in some regards to the Canadian Chemical Management Plan. EPA should put in writing what this means in detail so interested parties, such as the Downstream Users, can understand how it affects their operations and how they need to use it for internal planning purposes.

**G. Relevant Aspects of Other Prioritization Programs**

While no other prioritization program provides the ideal template for devising a prioritization program (and individual decisions must be evaluated on a case-by-case basis), EPA may want to consider some aspects of several programs in finalizing the prioritization approach. Many programs have worked, in our experience, to provide industry and stakeholders with adequate notice and obtain the data needed in a reasonable timeframe, including the Canadian Chemical Management Plan, the EPA pesticide registration program, and the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation. EPA could also apply lessons learned from the US-Canadian Regulatory Cooperation Council (RCC) Work Groups on Risk Assessment and particularly the findings of the Work Group on Use, Release and Exposure.

The Downstream Users believe that there are existing (often quite thorough) risk evaluations and assessments performed by the European Union, other nations (e.g., the Danish EPA), and in the peer reviewed literature. Historically, EPA has performed new redundant and resource-intensive risk evaluations or risk assessments rather than reviewing existing non-EPA risk evaluations to determine whether they are adequate. EPA could expedite its risk evaluation process by reviewing existing risk assessments to determine if they are adequate to make high priority, low risk findings, a determination that a chemical does not present an unreasonable risk, or a more limited preliminary risk screening statement.

V. **EPA SHOULD UTILIZE A PRELIMINARY RISK SCREENING STATEMENT TO COMMUNICATE AS EARLY AS JUSTIFIED THAT SOME SUBSTANCES UNDER CERTAIN CONDITIONS OF USE ARE UNLIKELY TO PRESENT A HIGH RISK BASED ON EXISTING DATA**

The statute evidences a Congressional intent to support a robust (but measured) federal approach to the regulation of chemicals. Providing more risk information earlier in the process will allow EPA to fulfill its role and give clearer risk communication to the markets and the public. EPA's risk evaluation rule explicitly states that:

EPA may complete its evaluation of the chemical substance under specific conditions of use or categories of conditions of use at any point **following the issuance of the final scope document**, and issue its determination as to whether the chemical substance under those conditions of use does or does not present an unreasonable risk to health or the environment under those conditions of use. EPA will follow all of the requirements and procedures in this Subpart when it conducts its evaluation of the chemical substance under any individual or specific conditions of use.<sup>22</sup> (Emphasis added)

The Downstream Users endorse EPA making the determination that a chemical does not present an unreasonable risk as early in the process as possible. Risk designations (or communications) earlier in the process will assist implementation of the statute. Low-Priority Substances already:

are taken out of consideration for further assessment. This gives the public notice of chemical substances for which the hazard and/or exposure potential is anticipated to be low or nonexistent, and provides some insight into which chemical substances are likely not to need additional evaluation and risk management under TSCA.<sup>23</sup>

As a practical matter, the information gathering efforts necessary to identify high priority and low priority substances may also identify information (even prior to the issuance of a final scoping document) that allows EPA to identify substances which under certain conditions of use have a remote likelihood of presenting an unreasonable risk. In such appropriate circumstances, nothing in the statute prevents EPA from issuing a preliminary risk screening statement (i.e., a summary of current intent based on existing information).

This preliminary risk screening statement will not be a final safety determination on the use but could simply state which uses are of concern. Such a statement will provide the Downstream Users useful direction on which conditions of use to focus resources.

These preliminary risk screening statements will benefit downstream users by providing early certainty for both users and regulators by allowing them to focus their limited resources on the conditions

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<sup>22</sup> Id. at 33,751.

<sup>23</sup> Id. at 33,755.

of use of a particular substance that may present the greatest risk. For example, EPA could make a statement that existing data (including risk assessments already performed or published in peer review journals) make it unlikely that there is exposure. The amount of evidence and documentation should depend upon the facts of the individual condition of use and the legal consequences of the regulatory statement.

We encourage EPA to carefully consider the manner in which the agency communicates the prioritization process to the public. EPA must describe the prioritization process in a clear manner to ensure the prioritization process does not create potential concern about a specific use of a chemical substance before the risk evaluation process is complete. An uninformed, overly broad communication concerning the risk or an untimely delay in providing an accurate and balanced risk communication has the real potential to adversely impact companies and generally provide misleading signals to the public. These early and preliminary risk determinations increase the likelihood that the public is provided clear information in a timely manner that a chemical substance is safe for certain intended conditions of use and is more cost-effective. Such an early determination will lessen ambiguity in the market place.

## **VI. CONCLUSION**

In closing, the prioritization process directly impacts the companies represented by the Downstream Users. It is in the interest of our members companies that TSCA be implemented efficiently and in a manner that is credible. Our comments are intended to make the process better. The Downstream Users view EPA's task in developing a prioritization system as being able to employ criteria and methods that allow EPA to decide how to select which substances it will review systematically, expeditiously and transparently.

The Downstream Users offer to work with EPA in implementing an Information Outreach Framework to assist EPA. Downstream users need clarity, an expeditious timeframe for decisions, and a scientifically sound, decision making process. We support much of what EPA has done. But a more transparent process that explains the basis for EPA's decisions will benefit our member companies and the public.

Thank you for the opportunity to submit these comments. For questions or additional information please contact Sarah Amick at the U.S. Tire Manufacturers Association, Ex. 6 and samick@ustires.org.

Respectfully submitted,

American Forest & Paper Association  
Plastics Industry Association  
Motor & Equipment Manufacturers Association  
Toy Association, Inc.  
U.S. Tire Manufacturers Association

Message

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**From:** Sean Hays [shays@scipinion.com]  
**Sent:** 2/1/2018 9:41:48 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**Subject:** Re: SciPinion and EPA  
**Attachments:** EPA 2018.pdf  
  
**Flag:** Flag for follow up

Nancy,

Attached is a brief slide deck showing some findings from recent SciPinion peer reviews. I won't go through all of this on the call, but it might be useful to help guide our discussion and answer some questions you might have.

I look forward to our discussion tomorrow.

Best regards,

Sean

Sean Hays  
President  
SciPinion, LLC  
**Ex. 6**  
[shays@scipinion.com](mailto:shays@scipinion.com)

On Feb 1, 2018, at 2:37 PM, Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)> wrote:

Thank you for the number. I have added it to their meeting invite.

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**From:** Sean Hays [mailto:[shays@scipinion.com](mailto:shays@scipinion.com)]  
**Sent:** Thursday, February 1, 2018 2:56 PM  
**To:** Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>  
**Subject:** Re: SciPinion and EPA

OK. I have Nancy's email. Can you send me Charlotte's?

Sean Hays  
President  
SciPinion, LLC  
**Ex. 6**

[shays@scipinion.com](mailto:shays@scipinion.com)

On Feb 1, 2018, at 12:48 PM, Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)> wrote:

Sean-

That will be fine.

Thank you,  
Derrick Bolen

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**From:** Sean Hays [<mailto:shays@scipinion.com>]  
**Sent:** Thursday, February 1, 2018 2:28 PM  
**To:** Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>  
**Subject:** Re: SciPinion and EPA

Derrick,

I'd like to set up a WebEx call in so both myself and my partner, Chris Kirman, can both take part (we are in different locations). Will this pose a problem?

Thanks,

Sean

Sean Hays  
President  
SciPinion, LLC  
**Ex. 6**  
[shays@scipinion.com](mailto:shays@scipinion.com)

On Jan 26, 2018, at 8:18 AM, Bolen, Derrick  
<[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)> wrote:

Does 2:30pm on 2/2 work?

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**From:** Sean Hays [<mailto:shays@scipinion.com>]  
**Sent:** Friday, January 26, 2018 8:43 AM



**To:** Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>

**Subject:** Re: SciPinion and EPA

OK, no problem.

Sean Hays

President

SciPinion, LLC

**Ex. 6**

[shays@scipinion.com](mailto:shays@scipinion.com)

On Jan 26, 2018, at 6:27 AM, Bolen, Derrick  
<[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)> wrote:

Sean-

We will have to reschedule the call with Nancy and Charlotte  
scheduled for today. My apologies, today became very busy  
very quick.

Thank you,  
Derrick Bolen

On Jan 24, 2018, at 2:10 PM, Sean Hays  
<[shays@scipinion.com](mailto:shays@scipinion.com)> wrote:

Yes, that will work fine.

Sent from my iPhone

On Jan 24, 2018, at 10:37 AM, Bolen,  
Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)> wrote:

Sean-

If it works best we can  
just give you a call at

**Ex. 6**

Thank you,  
Derrick Bolen

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**From:** Sean Hays  
[mailto:[shays@scipinion.com](mailto:shays@scipinion.com)]

**Sent:** Monday, January  
22, 2018 3:48 PM

**To:** Bolen, Derrick  
<[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>

<

Cc: Beck, Nancy

<Beck.Nancy@epa.gov>

Subject: Re: SciPinion  
and EPA

Derrick,

Do you have a  
preferred web call  
system or should I  
send a WebEx invite  
from our system?

Sent from my iPhone

On Jan 18, 2018, at  
6:34 PM, Bolen,  
Derrick  
<bolen.derrick@epa.g  
ov> wrote:

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Thank  
you,  
Derrick  
Bolen

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**From:** Sean  
Hays  
[\[mailto:shays@scipinio.com\]](mailto:shays@scipinio.com)

**Sent:** Thursday

,  
January  
18,  
2018  
5:15  
PM

**To:** Bolen,  
Derrick  
[<bolen.derrick@epa.gov>](mailto:bolen.derrick@epa.gov)

**Cc:** Beck,  
Nancy  
[<Beck.Nancy@epa.gov>](mailto:Beck.Nancy@epa.gov)

**Subject**  
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SciPinion and  
EPA

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**Ex. 6**

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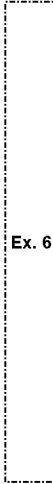
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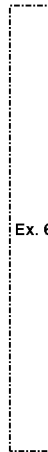
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*Ex vulgus scientia*  
"From the crowd, knowledge"

# SciPinion

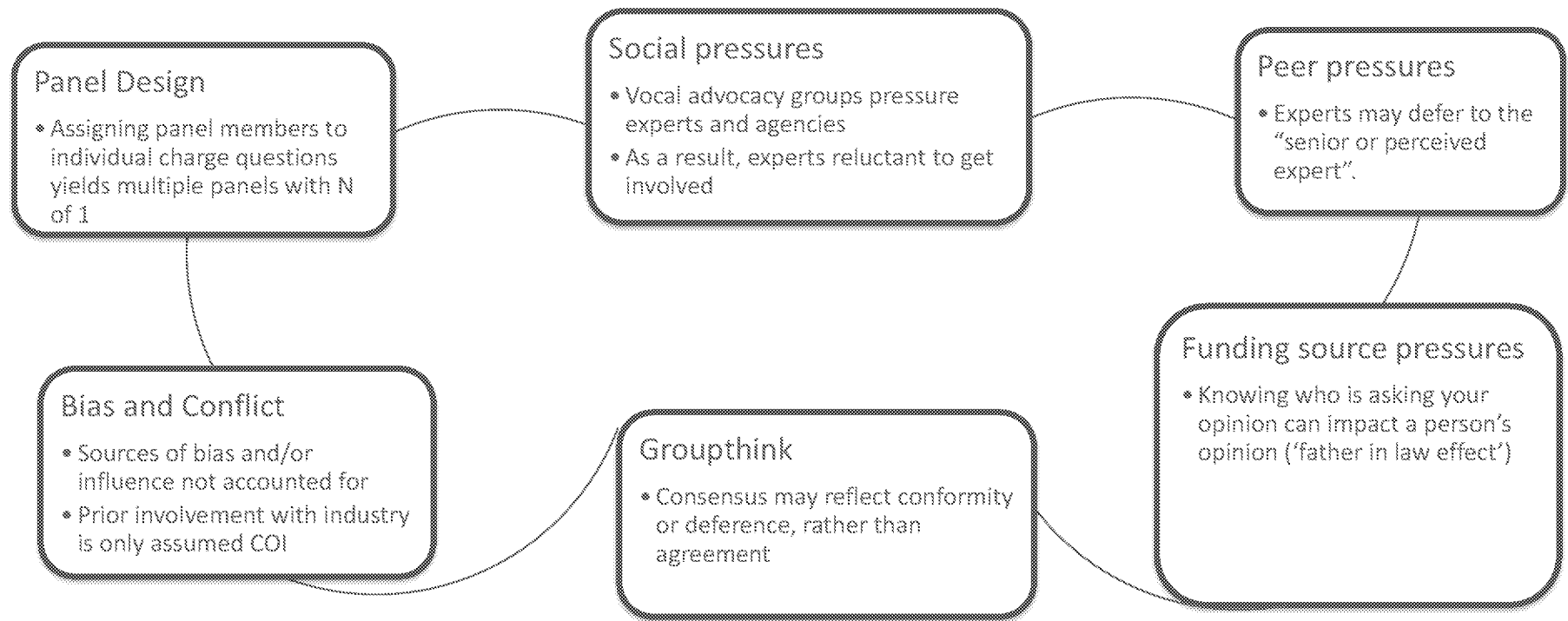
for discussion with EPA



Sean Hays, PhD  
President  
SciPinion, LLC  
[shays@scipinion.com](mailto:shays@scipinion.com)

**Ex. 6**

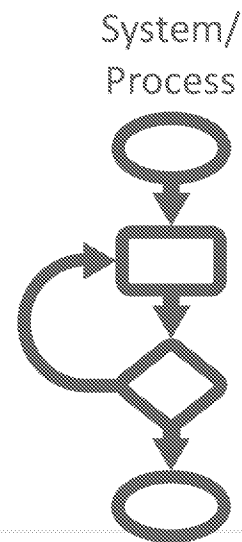
# Common Problems With How Experts are Often Engaged



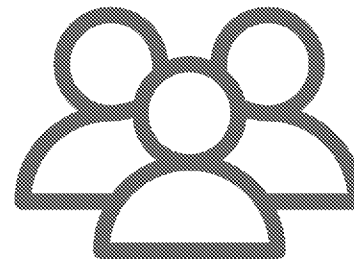
# Our Solution

## Robust Three Part Process

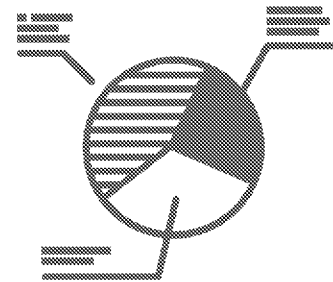
- System – structured peer review process
- Experts – chosen using objective, transparent and reproducible model
- Technology – web app that allows experts to work independently, anonymously, but collectively



Group of Experts



Technology  
Platform



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#### Select

- Select experts:
- Transparent
- Objective
- Reproducible
- Control for expertise and diversity metrics

#### Ask

- Ask quantitative questions that assess:
  - Consensus
  - Trends
  - Outliers
- Create very detailed questions that ask...
  - The Achilles heel questions
  - For additional perspectives
- All experts answer all questions

#### Technology

- All experts work online
- Anonymously to each other
- Independently at first
- Debate (online)
- Multiple rounds of voting to work towards consensus

#### Analytics

- Use powerful analytics
- Highly visual
- Identify potential bias
- Provide substance for decision making

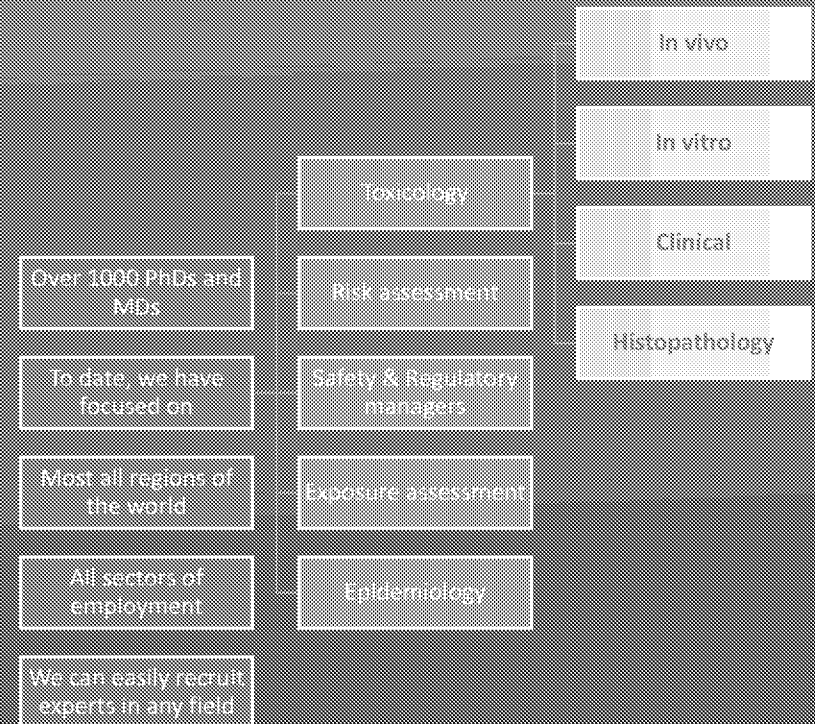
## SciPinion's Approach

- Eliminates problems common with current expert engagements



## Experts

- SciPinion was born from the toxicology and risk assessment arena. Most recruiting so far has focused on these areas of expertise.
- New areas of expertise constantly being expanded
- Panel selection utilizes objective, transparent and reproducible model to optimize desired **expertise** and **diversity** of panel



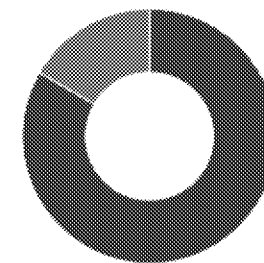


# Technology – That facilitates panel discussion – collective wisdom

- All experts are anonymous to each other but allows opportunities to;
  - Provide explanations of answers for additional context
  - Debate amongst the panel
- Multiple rounds for Delphi type engagement

The authors of this AOP state, '...the evidence presented to support this AOP demonstrates that the KEs can be measured using in vitro test systems and human clinical data in concert.' Do you agree with this statement?

Item #176 AOP05 Permission: [https://edpubprod.com/secure/12/section\\_results/2942](https://edpubprod.com/secure/12/section_results/2942)



Legend

Yes 8 (80%)  
 No 1 (10%)  
 I cannot answer 0 (0%)

Answer explanation provided

Answer	Explanation
<input type="radio"/>	In vitro experiments are able to confirm the molecular mechanisms linking [redacted] in particular ex-vivo experiments on vessels would be necessary, since extracellular matrix changes needs to be explored too. Human clinical data are also crucial, since the relationship between endothelial [redacted] is still matter of debate, and [redacted] should be also studied as an intermediate step between [redacted]
<input type="radio"/>	The authors provide robust in vitro and clinical measurements that are tied to the KEs in this AOP. When using the data from these in concert as the authors suggest, the AOP will be extremely valuable in interpreting the results. Depending on the type of studies, data measured in concert could also help inform the quantitative understanding of the AOP in the future. At present, however, caution must be taken when making quantitative statements about downstream KEs or the AOP based solely on in vitro measurements associated with upstream KEs. The AOP should support applications such as read across where toxicity data for downstream KEs has been directly measured by a related chemical, but it will not currently support quantitative predictions based entirely on in vitro data.
<input type="radio"/>	I answer in the affirmative, yet, it is still a stretch to conclude an effect on the [redacted] cultured in medium and 21% O2 and then project the mechanism on to a human response to FMD. It is difficult to answer this question without knowing if the human subjects will be exposed to (potential toxicants) via [redacted] if this is the case, then alteration of [redacted] detected by altered FMD represents an effect but it does not connect the dots to alterations in eNOS activity. It could be due to enhanced superoxide generation via inflammation and this drives oxidative modification by [redacted] by direct reaction with [redacted]

Debate (0 Comments)

ADD COMMENT  SORT BY DATE  SORT BY RATING

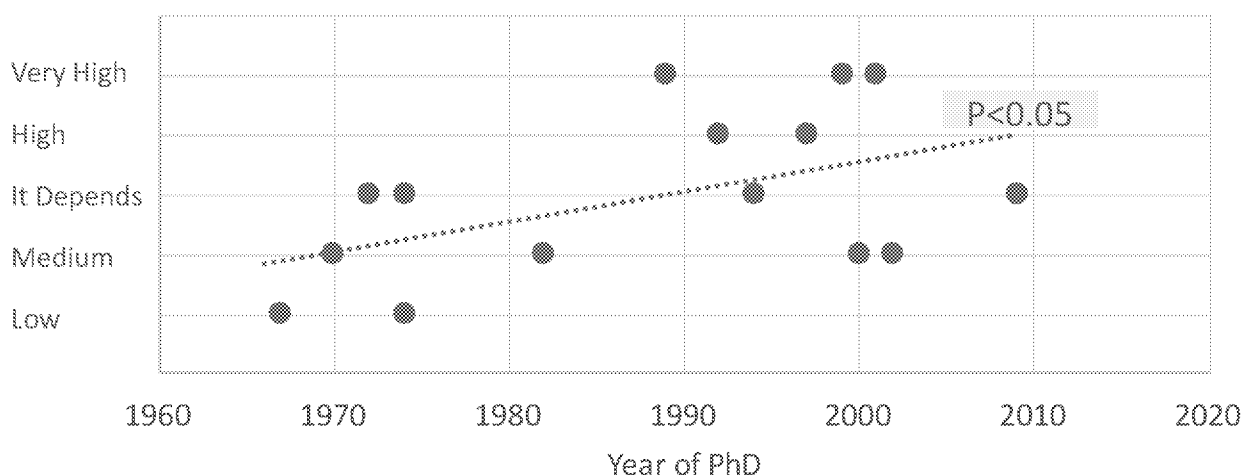
<input type="radio"/>	10/2/2017 12/19/2017 15:23 Comment ID: #1266	<input type="radio"/>
<input type="radio"/>	Agreed that demonstration of the AOP in the clinical setting is required – and possible. Proof that any toxicant related observed decrease in [redacted] activity will require correlation with patient samples, e.g. direct reaction of [redacted]	<input type="radio"/>
<input type="radio"/>	12/20/2017 06:19 Comment ID: #1267	<input type="radio"/>
<input type="radio"/>	I agree - the demonstration in the clinical setting would add important feasibility.	<input type="radio"/>

# *The Power of Analytics*

By asking quantitative questions and collecting relevant demographic data, SciPinion can harness the power of analytics to detect sources of bias and influence, conflicts of interest, degree of consensus, and correlations amongst opinions.

# Bias and Sources of Influence

How would you characterize your confidence in leveraging results obtained from omics data to understand RELATIVE toxicological effects of substances?



Data from actual SciPis

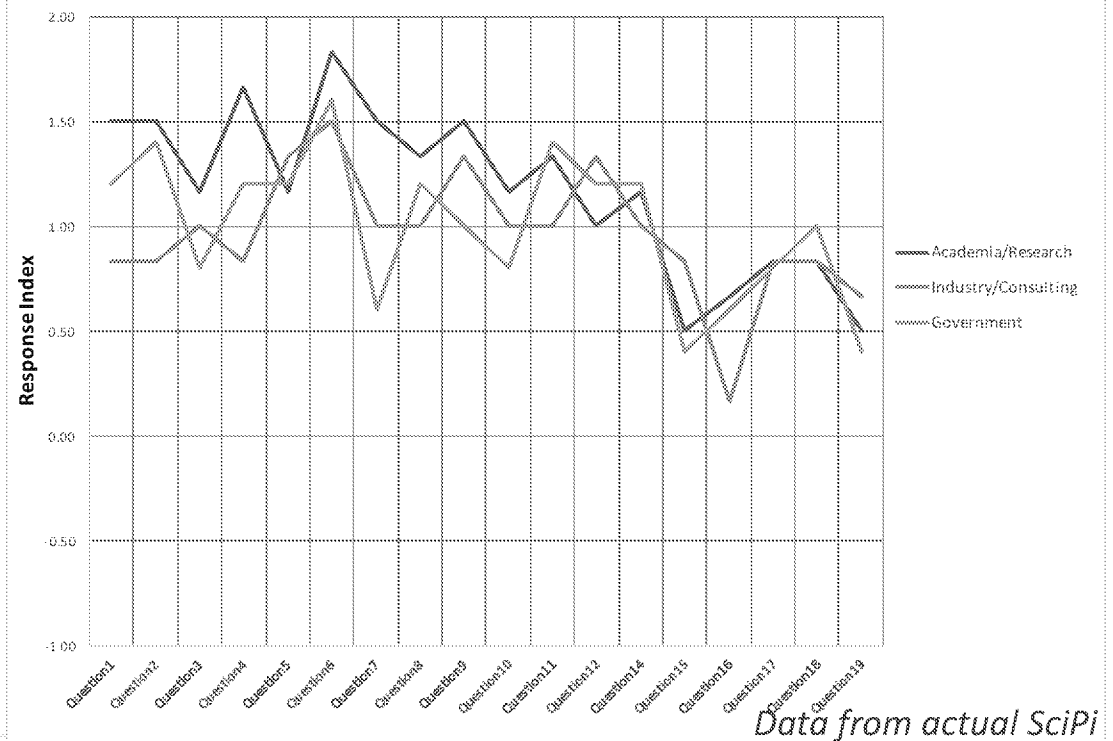
## “Everyone Has Bias”

- Bias can turn up in unexpected places... Using quantitative analyses along with collecting data in a structured manner, we can uncover hidden sources of bias*

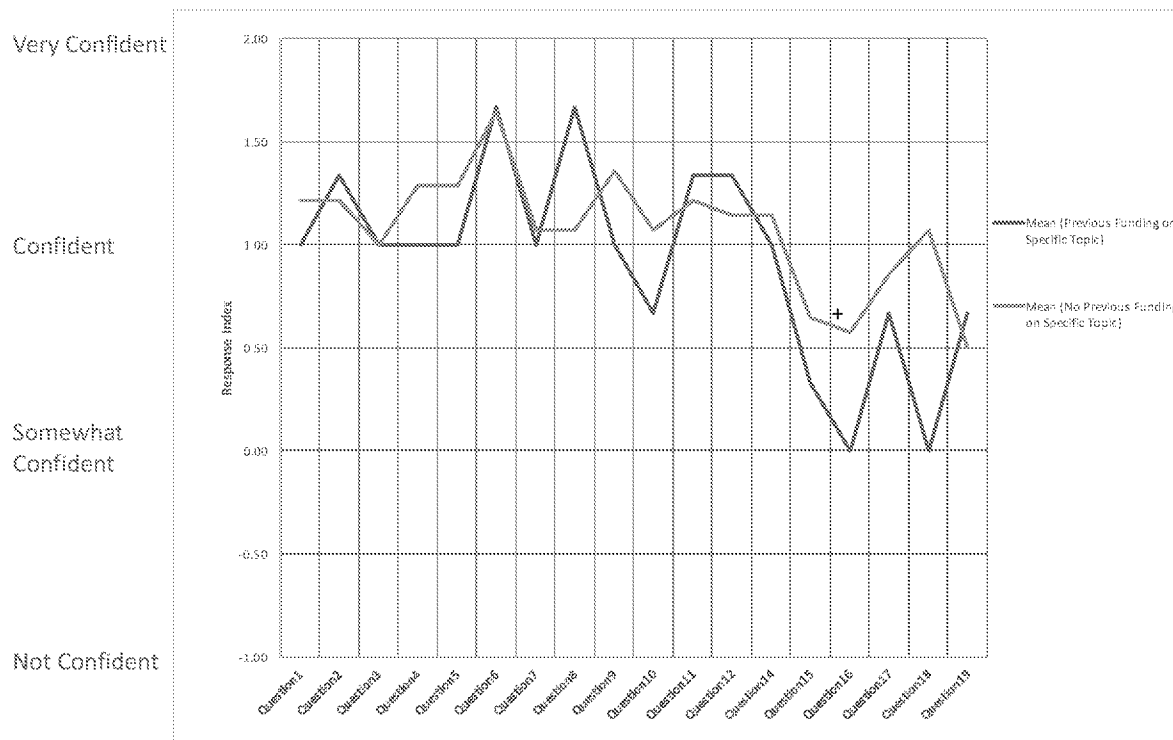
# Bias and Sources of Influence

## Presumed Bias

- Source of funding is presumed to be a source of bias
- Using our approach, to date, we have seen no bias with respect to sector of employment



# Bias and Sources of Influence



## Funding Bias

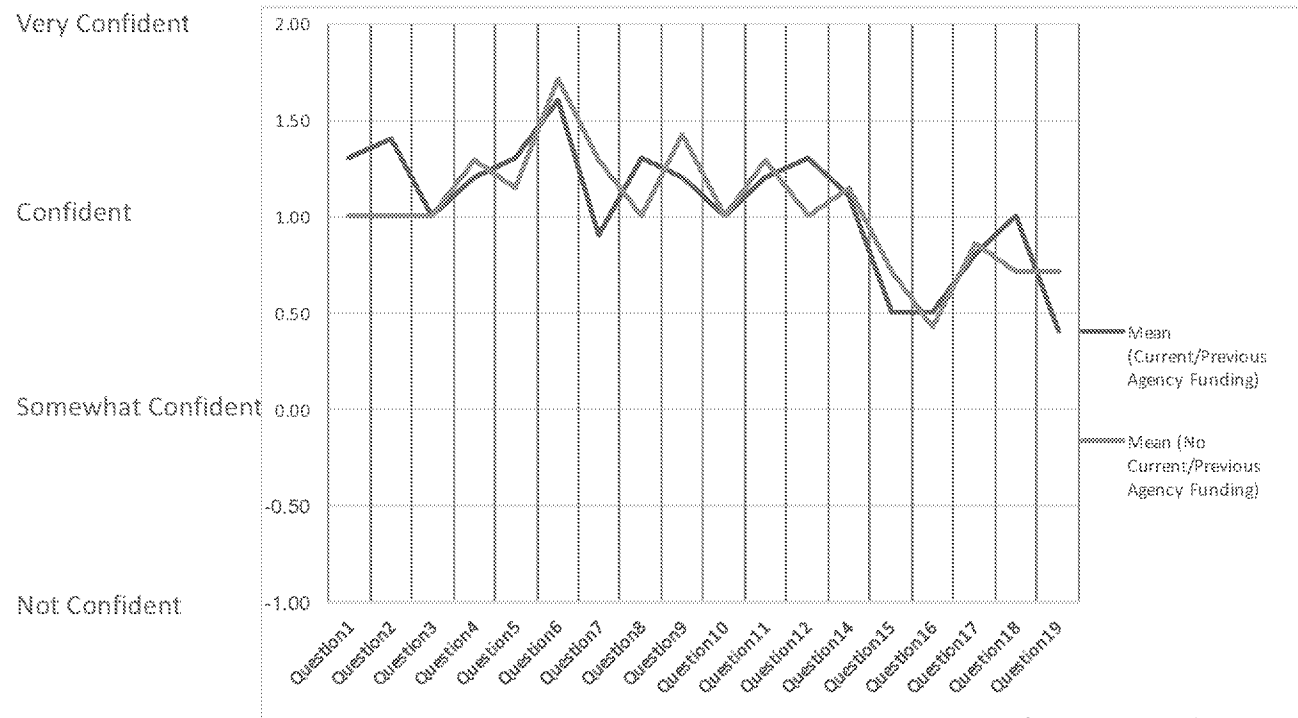
- No apparent bias amongst experts with funding on specific topic from the industry in question

*Data from actual SciPi*

# Bias and Sources of Influence

## Funding Bias

- No apparent bias related to agency funding



*Data from actual SciPi*



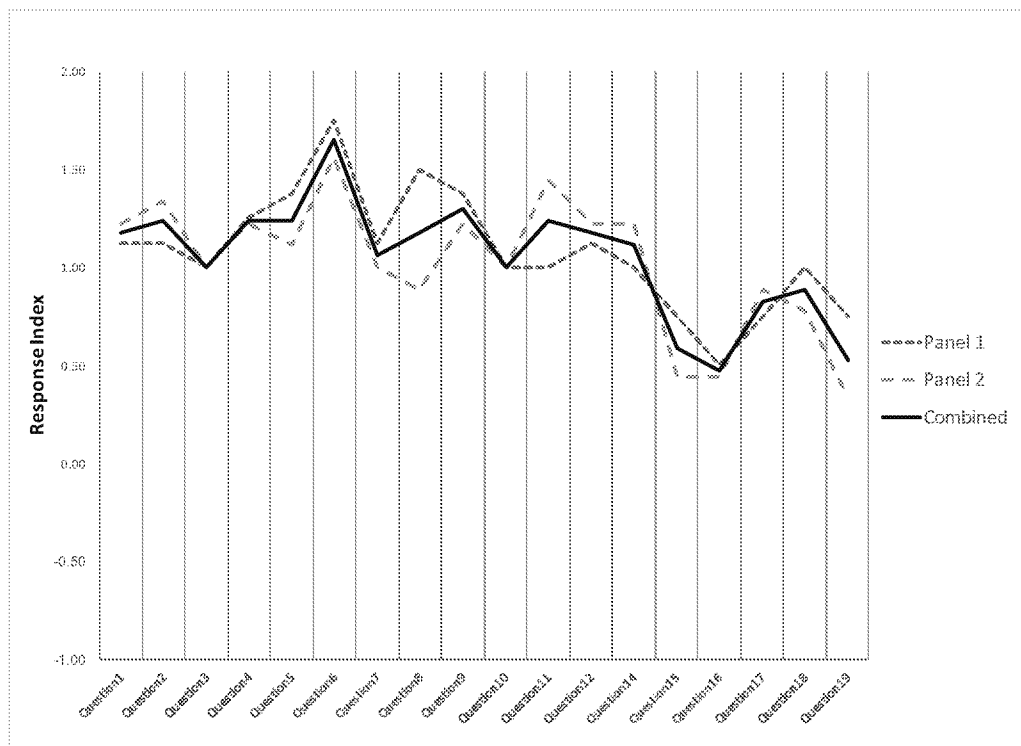
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# Reproducibility of SciPinion's Approach



## Panel and Process Reproducibility

- Two panels of 9 each
- Worked independently
- Results from the two panels are indistinguishable from each other
- SciPinion is the first to ever show reproducibility of panel peer reviews
- Method for selecting panelists, and process of engagement, minimizes likelihood of 'rogue panels'

*Data from actual SciPi*



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# Transparency and Flexibility

- Transparency - assigned roles for each SciPi
  - Auditors
    - Can monitor everything (including experts ID)
  - Observers
    - Can only monitor results and debates (not experts ID)
  - Expert selection model is completely reproducible
- Flexibility
  - Web developers can add functionality required by clients

# Conclusions

- Proven system for panel recruitment and engagement
- Cost efficiency
- Time efficiency (can complete peer reviews very rapid – less than 8 weeks, sometimes as fast as 24 hours, if required)
- Transparent system
- Ability to allow for observers, auditors and external commenters
- Fully auditable engagements

Message

---

**From:** Cindy Smith [csmith@gowanco.com]  
**Sent:** 1/26/2018 5:41:12 PM  
**To:** Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]  
**Subject:** RE: Gowan Group of Companies

No rush at all Tate –I know you guys have tons on your plate -I just wanted to get something to you – thank you!!!

---

**From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]  
**Sent:** Friday, January 26, 2018 9:40 AM  
**To:** Cindy Smith <csmith@gowanco.com>  
**Cc:** Beck, Nancy <Beck.Nancy@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>  
**Subject:** Re: Gowan Group of Companies

Thanks Cindy! Sorry for the delay. Will get back to you shortly with more info. Crazy week.

On Jan 26, 2018, at 12:38 PM, Cindy Smith <csmith@gowanco.com> wrote:

Tate—I wanted to make one other Yuma connection for you. Henry Darwin in the Office of Policy there at EPA has a strong Yuma connection. His father Dr. George Darwin was my daughters pediatrician. Dr. Darwin was in a partnership at the time called Yuma Pediatrics where Gowan Deckey (the daughter of Jon Jessen) is a pediatrician. So Henry could provide if you want some real insight in all Yuma as to offer in the way of being a place to visit. Thanks Cindy

---

**From:** Cindy Smith  
**Sent:** Thursday, January 25, 2018 7:22 PM  
**To:** 'Bennett.tate@epa.gov' <Bennett.tate@epa.gov>  
**Cc:** 'beck.nancy@epa.gov' <beck.nancy@epa.gov>  
**Subject:** Gowan Group of Companies

Hi Tate – I was in a meeting with you and Nancy several months ago on some specific issues related to pesticides and EPA decisions. I have also heard that Administrator Pruitt might be interested in talking directly with CEOs of companies about how EPA actions and policies directly impact our business. Gowan is unique as I believe we may be the only remaining 100% family owned basic registrant of pesticides in the U.S. Our headquarters is in Yuma, Arizona. Our company was started by Jon Jessen about 55 years ago. Today Jon remains active as the Chairman of the Board and his daughter Juli is our CEO. We have businesses that provide crop protection inputs (conventional and organic), seed (primarily vegetables), a pesticide manufacturing facility (in Yuma) and retail operations (Yuma, Imperial Valley and Salinas) with certified pest control advisors that walk fields and make recommendations for growers. A trip to Yuma would allow the Administrator to see our operations and talk with our CEO but also because this happens to be one of the most active seasons in ag production in Yuma so he could also see those operations. A large percentage of winter vegetables (lettuce, broccoli, cauliflower, etc.) are grown in Yuma. So if you are eating a salad this time of year –the lettuce was very likely grown in Yuma. We would greatly welcome the opportunity for the Administrator to visit Yuma to see agricultural production and to talk with our CEO and other family members directly involved in our businesses. I know Administrator Pruitt is very busy and I am sure he gets lots of requests to visit locations –but if he can work this in to any of his travel plans, we would be honored to showcase our

community, the agriculture and our business so he can get some first-hand knowledge of how EPA actions impact a family owned business and a community in rural America. The winter vegetable production will start winding down in March so there is a window of opportunity if it works with his schedule to come to Yuma sometime in the next 6-8 weeks. If that doesn't work we would be happy to come to his office with our CEO and talk with him as well. We really appreciate the consideration for our request and please let me know if you would like any additional information. Thanks Cindy

Cindy Smith  
Agricultural Relations Director  
Gowan

**From:** Jim Fredericks [jfredericks@pestworld.org]  
**Sent:** 3/14/2018 3:50:46 PM  
**To:** Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**CC:** Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: NPMA Legislative Day March 19, 2018

Derrick,

Below is the description of the session. It is set up as a panel, with the four presenters seated on stage. Each of our panelists will take a turn at the lectern and spend about 10 minutes (each) describing how their organization/office is working toward reducing regulatory burdens and how this could impact pest management professionals. Ideally, Tate could talk about some of the Agency's initiatives on a broad scale and Nancy could speak to the Office of Pesticide Programs efforts. Liza Fleeson-Trossbach will be approaching the topic from a state lead agency point of view, and Billy Tesh, NPMA's Public Policy Committee Chair will cover NPMA's issues. Once each of the four panelists has had the opportunity to speak, we will open the floor to questions from the audience (approximately 15 minutes). I will be moderating the session and will move around the room with a microphone so all can be heard.

**Monday, 19 March 2018**

**9:15 AM – 10:15 AM**

**The Impact of Pesticide Regulatory Reform on Structural Pest Management Industry**

*Presented by Tate Bennett, Associate Administrator, Office of Public Engagement and Environmental Education, U.S. Environmental Protection Agency; Nancy Beck, Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention, U.S. Environmental Protection Agency, Washington, DC; Liza Fleeson-Trossbach, American Association of Pesticide Control Officials, Richmond, VA; Billy Tesh, Chairman, NPMA Public Policy Committee, Greensboro, North Carolina*

In March 2017, EPA Administrator Pruitt issued a memorandum establishing the *EPA Regulatory Reform Task Force* in response to President Trump's Executive Order 13771: *Enforcing the Regulatory Reform Agenda*, which is designed to reduce the regulatory burdens agencies place on the American people. Since then, EPA has held public meetings and invited written and verbal comment from stakeholders who are directly impacted. Concurrently, NPMA has begun working on its Pesticide Regulatory Reform Agenda focusing on overcoming challenges that directly impact the pest management industry. In this session, learn what EPA and Industry are doing to work together to find solutions.

Notes:

- The event is closed to the press, with the exception of pest management industry trade publications (Pest Management Professional Magazine and Pest Control Technology Magazine).
- If the speakers have PowerPoint presentations, please email the file to [jfredericks@pestworld.org](mailto:jfredericks@pestworld.org) before midnight on March 18, or hand deliver on a thumb drive to the AV booth at the back of the room before 9:00 AM on March 19.

-Jim

---

**From:** Bolen, Derrick <bolen.derrick@epa.gov>  
**Sent:** Friday, March 9, 2018 10:41 AM  
**To:** Jim Fredericks <jfredericks@pestworld.org>  
**Subject:** RE: NPMA Legislative Day March 19, 2018

Jim-

Unfortunately those times do not work. Instead, if you could have someone send an outline of topics to be discussed that would be great.

Thank you,  
Derrick Bolen

---

**From:** Jim Fredericks [mailto:jf Fredericks@pestworld.org]  
**Sent:** Thursday, March 8, 2018 8:48 PM  
**To:** Bolen, Derrick <bolen.derrick@epa.gov>  
**Subject:** RE: NPMA Legislative Day March 19, 2018

Thanks Derrick,  
Would any of these times work?  
Monday – between 11am -3pm (eastern)  
Tuesday – 11am -1pm (eastern)  
Wednesday - anytime except 1-2pm (eastern)

Jim

---

**From:** Bolen, Derrick [mailto:bolen.derrick@epa.gov]  
**Sent:** Thursday, March 8, 2018 3:59 PM  
**To:** Jim Fredericks <jf Fredericks@pestworld.org>  
**Subject:** NPMA Legislative Day March 19, 2018

Jim-

I'm reaching out in regards to the legislative day coming up. Is there a time we can schedule a call with Nancy and Tate so they can be prepared ahead of the event?

Thank you,  
Derrick Bolen

Message

**From:** National Pest Management Association [npma@pestworld.org]  
**Sent:** 3/16/2018 1:00:23 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** As You Make Your Way to Washington, DC

[Click here to view this Email in a browser](#)

 HOTEL & TRAVEL  PROGRAM  SENATE APPOINTMENTS 

AS YOU MAKE YOUR WAY TO DC



As you make your way to Washington, DC for Legislative Day 2018, we wanted to give you some important information to ensure you are prepared for the events over the next few days.

## REGISTRATION HOURS

The Registration Desk is located on the Capital Terrace (second level) and will be open during the following hours:

Sunday, March 18: 7:30 a.m. - 6:00 p.m.

Monday, March 19: 7:30 a.m. - 5:30 p.m.

Tuesday, March 20: 7:30 a.m. - 9:00 a.m.

## HOTEL & TRAVEL INFORMATION

Capital Hilton  
1001 16th St NW,  
Washington, DC 20036

## DIRECTIONS | METRO MAP

The Capital Hilton is located two blocks north of the White House on 16th Street and K Street, in Northwest Washington, DC. The hotel is easily accessible to three different Metro Stations: Farragut North (Red Line), Farragut West (Blue & Orange Lines), and McPherson Square (Blue & Orange Lines).

The hotel offers valet parking only, however there are self-park garages nearby, which are not operated by the hotel.

## MAKE A DIFFERENCE: SPEAK WITH YOUR ELECTED OFFICIALS

This year, NPMA members will be conveying three critical issues to the legislators concerning the structural pest management industry. [Click here](#) to view the Senate appointment schedule. *NPMA staff is continuing to work on scheduling appointments, if you do not see your Senator included on this list please contact [abray@pestworld.org](mailto:abray@pestworld.org) and [jplevelich@pestworld.org](mailto:jplevelich@pestworld.org).*

**Relationship Between EPA and State Lead Agencies Regarding Pesticide Regulation**  
Position Paper | Talking Points

**Bring Clarity to the FIFRA/ESA Intersection, Fix the Broken Pesticide Consultation Process**

Position Paper | Talking Points

## **Pesticides, NPDES Permits and Waters of the United States**

### **Position Paper | Talking Points**

NPMA will cover these issues in depth during the Monday afternoon issues briefing and the Public Policy committee meeting at Legislative Day.

If you have any questions on the issues to be discussed, please contact NPMA's Public Policy team.

### **IS THIS YOUR FIRST TIME ATTENDING LEGISLATIVE DAY? WE'RE HERE FOR YOU.**

All first timers are invited and encouraged to join us for a quick run through of the Legislative Day events. We'll cover logistics of navigating Capitol Hill, how to best interact and make a good impression during your appointments, and review the issues and talking points we've put together to advocate on behalf of the structural pest management industry. Join us on Sunday from 5:00PM – 6:00PM in the New York Room for a Cliffs Notes overview of what to expect out of this conference.

### **CAPITOL STEPS PERFORMANCE**

Sunday, March 18

9:00 - 10:30 p.m.

Presidential Ballroom

Join us for a celebration featuring the Capitol Steps! For over thirty years, the Capitol Steps have been putting Washington's hottest scandals to your favorite tunes. They put the MOCK in Democracy...you don't want to miss it!

*Sponsored by Syngenta*

### **DOWNLOAD THE MOBILE APP**

Download the NPMA Events app to your Apple or Google device to customize your Legislative Day agenda, view the most up-to-date Senate appointment schedule, chat with fellow attendees, and more!

To get started, search "NPMA Events" in the App Store or Play Store. Blackberry and Windows users may access the web version of the app at [www.npma.eventpedia.us](http://www.npma.eventpedia.us).

**NPMA WOULD LIKE TO THANK OUR VALUABLE SPONSORS FOR THEIR  
CONTINUED SUPPORT OF THIS INDUSTRY EVENT**

Form fields for member profile update:

- Single text input field.
- Four text input fields in a row.
- Three text input fields in a row.
- Single text input field.

10460 North Street, Fairfax, Virginia 22030 • 800-678-6722

**Update Your Member Profile.**

[MyNPMA](#) | [NPMA Website](#) | [Email Us](#) | [Unsubscribe](#)

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Message

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**From:** Cindy Smith [csmith@gowanco.com]  
**Sent:** 2/18/2018 7:46:54 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]  
**Subject:** RE: Gowan Group of Companies

Thank you all for your efforts on this – I will let you know the next time she is there. Have a great holiday weekend. Cindy

---

**From:** Ford, Hayley [mailto:ford.hayley@epa.gov]  
**Sent:** Thursday, February 15, 2018 2:39 PM  
**To:** Cindy Smith <csmith@gowanco.com>  
**Cc:** Beck, Nancy <Beck.Nancy@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>  
**Subject:** RE: Gowan Group of Companies

Hi Cindy,

Thank you for being patient with us on this! As Tate mentioned, the Administrator's schedule changes so frequently, so we would hate for your CEO to schedule a trip to DC and then us have to cancel last minute. Let's do this – if your CEO happens to have already scheduled trips to DC coming up, please let us know those dates or when you schedule those and we could put a hold on the calendar for then and as it gets closer, try to finalize. At the same time, we may have some upcoming trips out West and it may make more sense for you to meet us close to Yuma instead. Tate and I will be in touch as those trips progress.

Thank you and we hope to make it work!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: Ex. 6

---

**From:** Bennett, Tate  
**Sent:** Wednesday, January 31, 2018 9:11 AM  
**To:** [csmith@gowanco.com](mailto:csmith@gowanco.com)  
**Cc:** Beck, Nancy <Beck.Nancy@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** Re: Gowan Group of Companies

We typically don't advise to plan around his constantly changing schedule! We will circle back.

On Jan 31, 2018, at 9:00 AM, Cindy Smith <[csmith@gowanco.com](mailto:csmith@gowanco.com)> wrote:

Good morning Tate –I talked with our CEO, Juli Jessen – she could be in DC March 19<sup>th</sup> or 20<sup>th</sup> if either of those days have any openings for Administrator Pruitt. If those dates don't work – we would make every effort to come when he has availability so please let us know if there are dates you have in mind that might work. Thanks very much. Cindy

---

**From:** Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]  
**Sent:** Monday, January 29, 2018 12:43 PM  
**To:** Cindy Smith <[csmith@gowanco.com](mailto:csmith@gowanco.com)>  
**Cc:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Gordon, Stephen <[gordon.stephen@epa.gov](mailto:gordon.stephen@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** RE: Gowan Group of Companies

Hi Nancy! Haven't forgotten you. Unfortunately, he likely will not make it to Yuma before March, but let us know if your CEO happens to be in the D.C. area soon. Also, can you please fill out this external meeting request form in case he does make it out that direction later this year? Thank you!

---

**From:** Cindy Smith [<mailto:csmith@gowanco.com>]  
**Sent:** Thursday, January 25, 2018 10:22 PM  
**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>  
**Cc:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** Gowan Group of Companies

Hi Tate – I was in a meeting with you and Nancy several months ago on some specific issues related to pesticides and EPA decisions. I have also heard that Administrator Pruitt might be interested in talking directly with CEOs of companies about how EPA actions and policies directly impact our business. Gowan is unique as I believe we may be the only remaining 100% family owned basic registrant of pesticides in the U.S. Our headquarters is in Yuma, Arizona. Our company was started by Jon Jessen about 55 years ago. Today Jon remains active as the Chairman of the Board and his daughter Juli is our CEO. We have businesses that provide crop protection inputs (conventional and organic), seed (primarily vegetables), a pesticide manufacturing facility (in Yuma) and retail operations (Yuma, Imperial Valley and Salinas) with certified pest control advisors that walk fields and make recommendations for growers. A trip to Yuma would allow the Administrator to see our operations and talk with our CEO but also because this happens to be one of the most active seasons in ag production in Yuma so he could also see those operations. A large percentage of winter vegetables (lettuce, broccoli, cauliflower, etc.) are grown in Yuma. So if you are eating a salad this time of year –the lettuce was very likely grown in Yuma. We would greatly welcome the opportunity for the Administrator to visit Yuma to see agricultural production and to talk with our CEO and other family members directly involved in our businesses. I know Administrator Pruitt is very busy and I am sure he gets lots of requests to visit locations –but if he can work this in to any of his travel plans, we would be honored to showcase our community, the agriculture and our business so he can get some first-hand knowledge of how EPA actions impact a family owned business and a community in rural America. The winter vegetable production will start winding down in March so there is a window of opportunity if it works with his schedule to come to Yuma sometime in the next 6-8 weeks. If that doesn't work we would be happy to come to his office with our CEO and talk with him as well. We really appreciate the consideration for our request and please let me know if you would like any additional information. Thanks Cindy

Cindy Smith  
Agricultural Relations Director  
Gowan

Message

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**From:** Jim Fredericks [jfredericks@pestworld.org]  
**Sent:** 1/17/2018 5:34:58 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Keigwin, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=151baabb6a2246a3a312f12a706c0a05-Richard P Keigwin Jr]; Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]; Keller, Kaitlin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d7a6b15adfd745c6ada1c121dec27ac4-Keller, Kai]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]  
**Subject:** RE: Invitation to Speak At NPMA Legislative Day March 19, 2018  
  
**Flag:** Flag for follow up

Thanks Nancy. We are looking forward to the panel, I think it will be very informative for our members. We typically ask that panelists provide some brief comments – to set the stage, then we open it up to questions from the audience – we can come up with a few prepared questions ahead of time for the moderator (probably me) to ask to get the ball rolling.

We are happy to set up a call with the panelists – perhaps sometime in mid-February – to discuss the details and avoid overlap.

Our meetings team will reach out with a confirmation letter soon.

Best regards,

Jim

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Tuesday, January 16, 2018 4:50 PM  
**To:** Jim Fredericks <jfredericks@pestworld.org>  
**Cc:** Keigwin, Richard <Keigwin.Richard@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>  
**Subject:** RE: Invitation to Speak At NPMA Legislative Day March 19, 2018

Jim,

I would be happy to participate. Please work with Kaitlin and Derrick to ensure that this gets put on my calendar and not lost in the shuffle.

Also, if we could do a pre-call to make sure Tate and I are prepared to cover the correct topics of interest that would be helpful.

Regards,  
Nancy

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Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Jim Fredericks [mailto:jfredericks@pestworld.org]  
**Sent:** Friday, January 12, 2018 11:00 AM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Keigwin, Richard <Keigwin.Richard@epa.gov>  
**Subject:** Invitation to Speak At NPMA Legislative Day March 19, 2018

Dr. Beck ,

The National Pest Management Association is holding its annual **Legislative Day Meeting on March 19, 2018**. This conference typically draws about 400 owners and executives from pest management firms nationwide and will be held at the Capital Hilton, in Washington DC . It is designed to provide an opportunity for our members to learn more about the policy issues that impact their businesses and meet directly with members of congress to speak about our industry's initiatives. One of the topics that we are interested in learning more about is how Federal regulatory reform efforts will impact the structural pest management industry.

I am writing to invite you to participate in a panel discussion on March 19<sup>th</sup> from 9:15-10:15 AM, titled:

***The Impact of Pesticide Regulatory Reform on Structural Pest Management Industry***

*In March 2017, EPA Administrator Pruitt issued a memorandum establishing the EPA Regulatory Reform Task Force in response to President Trump's Executive Order 13771: Enforcing the Regulatory Reform Agenda, which is designed to reduce the regulatory burdens agencies place on the American people. Since then, EPA has held public meetings and invited written and verbal comment from stakeholders who are directly impacted. Concurrently, NPMA has begun working on its Pesticide Regulatory Reform Agenda focusing on overcoming challenges that directly impact the pest management industry. In this session, learn what EPA and Industry are doing to work together to find solutions.*

We are also inviting Tate Bennett (OPEEE) and Tony Cofer, American Association of Pesticide Control Officials to speak on the panel.

Thanks and I look forward to hearing from you at your earliest convenience,

-Jim

**Jim Fredericks, Ph.D.**

Vice President, Technical and Regulatory Affairs, National Pest Management Association  
Executive Director, Pest Management Foundation  
10460 North Street Fairfax, VA 22030

**Ex. 6**

**UPCOMING EVENTS**

Eastern Regional Conference | January 17-19 | Mashantucket, CT  
Wildlife Expo | January 30-February 1 | New Orleans, LA  
Southern Regional Conference | February 5-7 | Memphis, TN



Message

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**From:** Benjamin.Dunham@hklaw.com [Benjamin.Dunham@hklaw.com]  
**Sent:** 1/5/2018 12:51:16 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: Meeting request for Consumer Specialty Products Association on Safer Choice

Hayley,

Thanks for the quick response. I'll circle back with CSPA and we'll follow up with Dr. Beck. Happy New Year to you too.

**Ben Dunham | Holland & Knight**

Sr Policy Advisor

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

benjamin.dunham@hklaw.com | www.hklaw.com

---

**From:** Ford, Hayley [mailto:ford.hayley@epa.gov]  
**Sent:** Thursday, January 04, 2018 9:51 AM  
**To:** Dunham, Benjamin E (WAS - X75189) <Benjamin.Dunham@hklaw.com>  
**Cc:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** RE: Meeting request for Consumer Specialty Products Association on Safer Choice

Hello Ben,

Thank you for the below invitation for the Administrator. He enjoyed meeting with your group back in April. I understand that your association has been in contact with Nancy Beck and other members of our Office of Chemical Safety and Pollution Prevention. We'd encourage you to keep working through Nancy's office on your requests, as they take the lead on many of the issues that you'd like addressed. Nancy is copied on this message if you need her contact information. She is our Deputy Assistant Administrator in the office.

Thank you and Happy New Year!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

**Ex. 6**

---

**From:** Benjamin.Dunham@hklaw.com [mailto:Benjamin.Dunham@hklaw.com]  
**Sent:** Tuesday, January 2, 2018 12:58 PM  
**To:** Pruitt, Scott <[Pruitt.Scott@epa.gov](mailto:Pruitt.Scott@epa.gov)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>  
**Subject:** Meeting request for Consumer Specialty Products Association on Safer Choice

Dear Administrator Pruitt,

Attached is a meeting request on behalf of the Consumer Specialty Products Association. I hope you'll consider making time to meet with them.

Sincerely,

**Ben Dunham | Holland & Knight**

Sr Policy Advisor

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

benjamin.dunham@hklaw.com | www.hklaw.com

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NOTE: This e-mail is from a law firm, Holland & Knight LLP ("H&K"), and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of H&K, do not construe anything in this e-mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of H&K, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

Message

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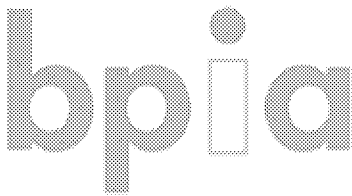
**From:** Keith Jones [jones@bpia.org]  
**Sent:** 10/19/2017 11:17:43 AM  
**To:** Keigwin, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=151baabb6a2246a3a312f12a706c0a05-Richard P Keigwin Jr]  
**CC:** Dinkins, Darlene [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5e8ce07dbbcc49ce86097f4a1f207bd6-Darlene R. Dinkins]; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Lemon, Jennifer [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce5611cad7c7c4a08829b3e16ecfa81d7-jlemon]; Miller, Wynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8267862f7fea4782aec32ea5fec8c19c-wymiller]; McNally, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=efa5514317e34b9895687d73730fdde9-Robert McNally]; Nina Wilson [nwilson@gowanco.com]  
**Subject:** Re: Thank You!

Rick,

Sounds good.

Thanks,  
Keith

**Keith Jones**  
**Executive Director | BPIA**  
Phone: **Ex. 6**  
E-mail: [jones@bpia.org](mailto:jones@bpia.org) | Web: [www.bpia.org](http://www.bpia.org)



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**From:** "Keigwin, Richard" <Keigwin.Richard@epa.gov>  
**Date:** Thursday, October 19, 2017 at 7:14 AM  
**To:** Keith Jones <jones@bpia.org>  
**Cc:** "Dinkins, Darlene" <Dinkins.Darlene@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>, "Lemon, Jennifer" <Lemon.Jennifer@epa.gov>, "Miller, Wynne" <Miller.Wynne@epa.gov>, Robert McNally <Mcnally.Robert@epa.gov>  
**Subject:** RE: Thank You!

Keith—

Thanks for your note. I appreciated the opportunity to speak at the BPIA conference. I'm looking forward to continuing to collaborate with you.

Regarding getting more information about the use of biopesticides, let me chat with Wynne Miller, the Director of our Biological and Economic Analysis Division. Perhaps we can schedule some time in the near future to begin a dialogue around this topic.

Thanks again!  
--Rick

---

**From:** Keith Jones [mailto:jones@bpia.org]  
**Sent:** Wednesday, October 18, 2017 8:38 AM  
**To:** Keigwin, Richard <Keigwin.Richard@epa.gov>  
**Cc:** Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Lemon, Jennifer <Lemon.Jennifer@epa.gov>  
**Subject:** Thank You!

Dear Rick,

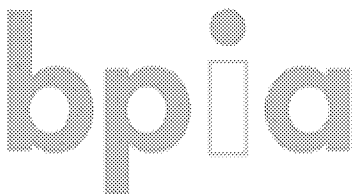
Thank you very much for speaking at our program last week. I heard nothing but positive feedback regarding your participation.

I believe you posed a question regarding non-commodity uses of biological products. Perhaps we could facilitate a survey of our members. Please let me know what information you are seeking and how we can help.

Please don't hesitate to contact me if I or BPIA can be of any assistance to you in the future.

Thanks again,  
Keith

**Keith Jones**  
**Executive Director | BPIA**  
Phone: **Ex. 6**  
E-mail: [jones@bpia.org](mailto:jones@bpia.org) | Web: [www.bpia.org](http://www.bpia.org)



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Message

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**From:** Cindy Squires [cindy@iwpawood.org]  
**Sent:** 11/6/2017 3:23:33 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Formaldehyde Litigation

Nancy,

Just wanted to reach out to you regarding the lawsuit filed by the Sierra Club seeking to vacate the one-year extension of the Formaldehyde rule. We are opposed to such a change. Without the small chamber rule having been finalized we are in a very difficult position to be able to comply. In addition, this would make it impossible for product that has already shipped to be in compliance.

We are deciding our next steps regarding the litigation but wanted to make sure you were aware of our deep concern.

Cindy

**Cindy L. Squires, Esq**  
Executive Director  
International Wood Products Association  
4214 King Street | Alexandria, VA 22302 | USA

Ex. 6

[Cindy@IWPAAwood.org](mailto:Cindy@IWPAAwood.org)



*IWPA's mission is to build acceptance and demand in North America for globally sourced wood products from sustainably managed forests.*

Message

---

**From:** Cindy Squires [cindy@iwpawood.org]  
**Sent:** 10/20/2017 10:04:17 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Joe O'Donnell [joe@iwpawood.org]  
**Subject:** RE: Regulatory Relief from Formaldehyde rule

Thanks... that is excellent news.  
Have a great weekend.

**Cindy L. Squires, Esq**  
Executive Director  
International Wood Products Association  
4214 King Street | Alexandria, VA 22302 | USA

Ex. 6

[Cindy@IWPAwood.org](mailto:Cindy@IWPAwood.org)



*IWPA's mission is to build acceptance and demand in North America for globally sourced wood products from sustainably managed forests.*

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Friday, October 20, 2017 5:56 PM  
**To:** Cindy Squires <cindy@iwpawood.org>  
**Cc:** Joe O'Donnell <joe@iwpawood.org>  
**Subject:** RE: Regulatory Relief from Formaldehyde rule

Cindy,  
If all goes according to plan (which is never predictable with formaldehyde issues), the rule should be in the FR next week.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

Ex. 6

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Cindy Squires [<mailto:cindy@iwpawood.org>]  
**Sent:** Friday, October 20, 2017 5:44 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>  
**Subject:** Regulatory Relief from Formaldehyde rule

Nancy,

I hope this finds you well. I am checking in with you regarding a regulatory relief item EPA has announced but not yet published on the formaldehyde composite wood rule.

You may recall we had a technical issue regarding lab correlation. On August 31 EPA put out the signed pre-publication version of the Direct Final Rule and the Proposed Rule which is great. However, it has yet to publish in the Federal Register. It is odd for this to be taking nearly 2 months. I fear that we will be forced to seek another extension of the compliance date if we can't get clarity on this lab issue.

I would appreciate any information you can provide as to why this is being delayed and when we might expect to see it published.

Here is EPA's information from its website to refresh your recollection:

### **Voluntary Consensus Standards Amendment**

EPA will publish a direct final rule to update several voluntary consensus standards listed at 40 CFR § 770.99 and incorporated by reference in the Formaldehyde Emission Standards for Composite Wood Products rule. [Read a pre-publication version of the direct final rule.](#) These updates apply to emission testing methods and regulated composite wood product construction characteristics. Several of those voluntary consensus standards (technical specifications for products or processes developed by standards-setting bodies) were updated, withdrawn, and/or superseded through the normal course of business by these various bodies to take into account new information, technology, and methodologies.

Additionally, the direct final rule corrects the rule at 40 CFR § 770.20(b) by allowing the formaldehyde emissions mill quality control test methods to correlate to either the ASTM E1333-14 test method or, upon a showing of equivalence, the ASTM D6007-14 test method. This correlation was inadvertently omitted from the original final rule. The correction aligns the mill quality control testing requirements with the California Air Resources Board standards allowing mill quality control tests to be correlated to the less expensive ASTM D6007-14 test method.

In the event that EPA receives an adverse comment on the direct final rule and must publish a proposal, EPA will also publish a companion notice of proposed rulemaking to update the voluntary consensus standards. [Read a pre-publication version of the proposed rule.](#) If EPA receives no adverse comment on the direct final rule or proposed rule, then the agency will take no further action on the proposed rule and the direct final rule will become effective 45 days after publication of the direct final rule. If EPA receives relevant, adverse comment, then the Agency will withdraw the direct final rule and proceed with the proposed rule through the normal rulemaking process.

Best regards,

Cindy

Cindy L. Squires, Esq  
Executive Director  
International Wood Products Association  
4214 King Street | Alexandria, VA 22302 | USA

**Ex. 6**

[Cindy@IWPAwood.org](mailto:Cindy@IWPAwood.org)

IWPA's mission is to build acceptance and demand in North America for globally sourced wood products from sustainably managed forests.

-----Original Message-----

From: Winchester, Erik [<mailto:Winchester.Erik@epa.gov>]  
Sent: Thursday, October 12, 2017 10:06 AM  
To: Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>  
Subject: RE: Any news?

It's in the last steps of the process but I don't have a date, hoping as I have been that it will be soon.

-----Original Message-----

From: Cindy Squires [<mailto:cindy@iwpawood.org>]  
Sent: Thursday, October 12, 2017 10:03 AM  
To: Winchester, Erik <[Winchester.Erik@epa.gov](mailto:Winchester.Erik@epa.gov)>; Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>  
Subject: Any news?

Erik,

I was wondering when the docket will be published for the standards and lab fix?

Cindy

Cindy Squires  
Sent from my iPhone



Message

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**From:** Sarah Amick [samick@ustires.org]  
**Sent:** 10/30/2017 6:54:31 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Hanley, Mary [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=58e0d3d52d424d45ae88e4386ae4f8dd-Hanley, Mary]  
**Subject:** RE: USTMA Tire Materials Committee

Nancy,

Thank you for your email! This is a very helpful overview and I appreciate your time in providing this information.

Thank you again,

**SARAH E. AMICK**

Vice President EHS&S and Senior Counsel

**Ex. 6**

1400 K Street, NW #900 • Washington, DC 20005

@USTireAssoc • [USTires.org](http://USTires.org)



**\*\*Please update your records! Our name, emails and domain have changed.\*\***

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Friday, October 27, 2017 6:26 PM  
**To:** Sarah Amick <samick@ustires.org>  
**Cc:** Hanley, Mary <Hanley.Mary@epa.gov>  
**Subject:** RE: USTMA Tire Materials Committee

Sarah,

Apologies for the delayed response.

Regarding your specific question of a trade association filing a joint submission for substances commonly used by industry, EPA would accept an NOA filed by a trade association representative authorized to file the notice on behalf of a specific company. Please be advised that EPA would not view a single NOA filed for a commonly used substance as a joint submission that, just by its filing, would satisfy the reporting obligation of multiple companies that used the same substance, unless the conditions of the CDX receipt exemption are met. For example, a trade association could facilitate reporting of a commonly used substance by establishing an arrangement or agreement among several companies whereby a trade association representative who is authorized to act on behalf of one of the companies, files the NOA for the commonly used substance on behalf of the one company, and the trade association subsequently shares the CDX receipt from the filing with other companies, thus exempting the other companies from filing an NOA for the same substance.

More Background:

TSCA section 8(b)(4)(A)(i) states that the rule shall require manufacturers, and may require processors, to notify EPA of each chemical substance on the Inventory that the manufacturer or processor, as applicable, manufactured or processed for non-exempt commercial purpose during the 10-year period ending the day before the date of enactment of amended TSCA. The statute therefore specifies that it is manufacturers and possibly processors that shall be required

to report. In the final rule, this is reflected in § 710.25 which specifies that persons “who manufactured (including imported) a chemical substance subject to commercial activity designation at any time during the lookback period, except as provided in § 710.27, must submit a Notice of Activity Form A as specified under § 710.29 and § 710.30(a), unless such person has evidence in the form of a CDX receipt, documenting EPA’s receipt of a Notice of Activity Form A from another person, for the same chemical substance, or unless the prior manufacturing of such a substance is not known to or reasonably ascertainable by the person.”

However, as with other TSCA notices (e.g., Premanufacture Notices), persons that have the authority to act on behalf of a manufacturer or processor can submit a Notice of Activity (NOA) for the manufacturer or processor. Such persons are usually representatives within companies as well as agents external to companies (e.g., consultants) that can act on behalf of companies. Although trade groups typically are not submitters, it may be possible for a trade group representative to have an agreement or arrangement with a company in which the representative has authority to act on behalf of the company (act as an agent for the company) and thus submit TSCA notices to EPA on behalf of the company. The distinction is that the trade group representative would be representing the company and not the trade group.

I hope this helps.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Sarah Amick [<mailto:samick@ustires.org>]  
**Sent:** Monday, October 16, 2017 10:46 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Hanley, Mary <[Hanley.Mary@epa.gov](mailto:Hanley.Mary@epa.gov)>  
**Subject:** Re: USTMA Tire Materials Committee

Nancy,

Thank you for your email! I understand that additional timing is needed to accommodate a request to attend our meeting. We will target early 2018 at our next meeting to possibly have an EPA speaker at our meeting.

In the meantime one question we had pertains to the final TSCA inventory reporting rule. Would EPA accept a joint industry submission from a trade association for common substances used by that industry in order to ensure that substances are on the active inventory?

Thank you again,

**SARAH E. AMICK**

Vice President EHS&S and Senior Counsel

**Ex. 6**

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On Oct 10, 2017, at 3:57 AM, Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)> wrote:

Hi Sarah,

Thanks for thinking of us, however we would need a lot more lead time to get something like this through legal review and then also to make it stick on the calendar. Next week is already packed. If there are specific questions for us that come out of the meeting, please feel free to pass them along or we can set up a meeting in the future with the appropriate staff to help provide needed clarity.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

Ex. 6

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Sarah Amick [<mailto:samick@ustires.org>]  
**Sent:** Monday, October 9, 2017 9:06 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** USTMA Tire Materials Committee

Nancy,

I hope this email finds you well. We have an upcoming meeting of the USTMA Tire Materials Committee on Tuesday, October 17<sup>th</sup> from 1pm – 5pm EDT and welcome the opportunity to hear from you or someone on your staff about TSCA implementation. As downstream manufacturers it would be helpful to better understand what information EPA is looking for regarding use and exposure of substances. It would also be helpful to better understand when we should provide this information to the agency. We are also interested in doing a joint submission for the inventory reset rule and welcome the opportunity to learn more from EPA about how you envision this process working. Again, we welcome the opportunity to hear from you or someone on your staff during our meeting on Tuesday, October 17<sup>th</sup>. The meeting will be held at our offices in Washington, DC which are located right by the McPherson Square metro at 14<sup>th</sup> and K street, NW.

I look forward to hearing from you.

Thank you,

SARAH E. AMICK  
Vice President EHS&S and Senior Counsel

Ex. 6

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<image001.png>

***\*\*Please update your records! Our name, emails and domain have changed.\*\****

Message

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**From:** Cindy Squires [cindy@iwpawood.org]  
**Sent:** 8/31/2017 12:48:14 AM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Courtnage, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0178328a90b644929cc8981cf34f5fad-RCourtna]; Winchester, Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83262ec17cfa43fbac66c8513641712-Winchester, Erik]; Joe O'Donnell [joe@iwpawood.org]; Jackson Morrill [JMorrill@cpamail.org]; Jakob, Avivah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ca1aec941984ff2939fe77425b0e2f3-Jakob, Avivah]; Schmit, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7077ecbac4914a00ad465398f92bbe78-Schmit, Ryan]; Travis R. Snapp [travis.snapp@benchmark-intl.com]  
**Subject:** RE: Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date

Thank you Nancy,

We appreciate EPA's focus on this issue and look forward to a quick resolution. As you know, IWPA has Third Party Certifiers as members who are eager to assist the industry in beginning compliance with this rule -- this fix will make it possible for that work to move forward. Most notably, Benchmark International was instrumental in pointing out this concern to Erik and his team so we appreciate EPA continuing the open line of communication on this and other implementation issues.

Also, please do not hesitate to let us know if we can assist in any way. Thank you in advance for EPA's participation in our webinars next week to help address the many questions mills and importers are having as they implement this regulation.

Best regards,

Cindy

Cindy Squires, Esq.  
Executive Director  
International Wood Products Association  
4214 King Street, Alexandria VA 22302

**Ex. 6**

[www.iwpawood.org](http://www.iwpawood.org)

---

**From:** Beck, Nancy [Beck.Nancy@epa.gov]  
**Sent:** Wednesday, August 30, 2017 4:44 PM  
**To:** Cindy Squires  
**Cc:** Courtnage, Robert; Winchester, Erik; Joe O'Donnell; Jackson Morrill; Jakob, Avivah; Schmit, Ryan  
**Subject:** RE: Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date

Cindy,  
Please see the attached letter which responds to your concerns. I believe IWPA was cc'd on this.  
If you still have questions, please feel free to contact Erik or myself.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP

---

**From:** Cindy Squires [mailto:cindy@iwpawood.org]

**Sent:** Tuesday, August 8, 2017 3:47 PM

**To:** Beck, Nancy <Beck.Nancy@epa.gov>

**Cc:** Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Winchester, Erik <Winchester.Erik@epa.gov>; Joe O'Donnell <joe@iwpawood.org>

**Subject:** Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date

Thank you for putting out the notice today on the early voluntary labeling. This is much appreciated!

As you can expect this has led to many questions specifically in light of the fact that without a fix to the ability to use a small chamber test to correlate most will not be able to take advantage of the early labeling provision. This concern will be improved first by immediately putting out the final rule extending the effective date of the rule and second by EPA announcing guidance allowing for the small chamber test.

**Can you tell me when we will get guidance on the small chamber test issue?**

As you know the industry asked for the following relief:

FWIC respectfully requests that this problem be addressed immediately. We reiterate the recommendation of CPA that EPA issue the following clarification by way of guidance or interpretation:

For purposes of Section 770.20(d)(2)(i), correlation of quality control test results may also be shown through use of equivalent D-6007 test results as the independent variable (X-axis).

We submit that informal guidance is well within the authority of the Agency given the ambiguity in the final rule. Such expedited action will bring clarity and certainty to the regulated community. We know of no opposition to our proposed interpretation.

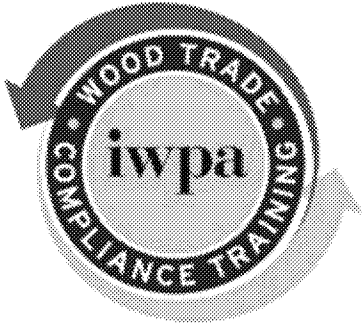
This clarification could and should also be later embodied in a "technical correction" amendment to the Regulation which we understand is currently being evaluated to address updated test and standard references and other minor matters. We recommend the following amendment language to Section 770.20(d)(2)(i) for this purpose:

The correlation must be based on a minimum sample size of five data pairs and a simple linear regression where the dependent variable (Y-axis) is the quality control test value and the independent variable (X-axis) is the ASTM E-1333-10 test value or the equivalent ASTM D-6007 test value. Either composite wood products or formaldehyde emissions reference materials can be used to establish the correlation.

Thanks!

Cindy

Cindy Squires, Esq.  
Executive Director  
International Wood Products Association



Message

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**From:** m.lafore@dowcorning.com [m.lafore@dowcorning.com]  
**Sent:** 9/15/2017 7:44:19 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Meeting Forward Notification: FW: Meeting w/Dow on PMN

## Your meeting was forwarded

LAFORE, MICHAEL R. (MRLAFORE) has forwarded your meeting request to additional people.

### Meeting

FW: Meeting w/Dow on PMN

### Meeting Time

Friday, September 22, 2017 2:00 PM - Friday, September 22, 2017 3:00 PM

### Recipients

GOLDBERG, CORTNEY E. (CEGOLDBE)

All times listed are in the following time zone: (UTC-05:00) Eastern Time (US & Canada)

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Message

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**From:** Cindy Squires [cindy@iwpawood.org]  
**Sent:** 8/30/2017 8:44:14 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Automatic reply: Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date

Greetings,

I am on out of the office on business travel and will return to the office on Friday September 1st. I will be checking emails periodically.

If you need immediate assistance please contact Joe O'Donnell at Joe@iwpawood.org or **Ex. 6**

If it is extremely urgent you can contact me on my mobile phone or skype noted below.

Best regards,

Cindy

Cindy L. Squires, Esq.  
Executive Director  
International Wood Products Association

**Ex. 6**



Message

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**From:** Cindy Squires [cindy@iwpawood.org]  
**Sent:** 7/10/2017 1:48:44 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Joe O'Donnell [joe@iwpawood.org]  
**Subject:** RE: Flooring industry stress from delay in early labeling relief

Nancy,

We just saw that the PR and DFR will publish tomorrow.

Thank you!!!!

Cindy

\*\*\*\*\*

Cindy Squires, Esq.  
Executive Director  
International Wood Products Association  
4214 King Street, Alexandria VA 22302

**Ex. 6**

[www.iwpawood.org](http://www.iwpawood.org)



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---

**From:** Cindy Squires  
**Sent:** Friday, July 07, 2017 3:33 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Joe O'Donnell <joe@iwpawood.org>  
**Subject:** Flooring industry stress from delay in early labeling relief

Nancy,

I just got off the phone with a major flooring retailer member and they are getting quite stressed about the lack of resolution of the early labeling issue with the formaldehyde rule. This retailer will have to pull the trigger for orders by the end of the July so they have enough in store inventory to make it through the roll out period. This company is very concerned that they are not allowed to order EPA / TSCA product now to fill their inventory. The disruption that the lack of early labeling is causing to the supply chain is quite severe.

To meet the Dec. 12<sup>th</sup> date for compliance this is what has to happen.

- Orders placed ... July/August
- MDF Production August / September (this is shipped to the flooring manufacturer)
- Flooring Production September / October
- Shipping consumer product to US distribution center October / November.
- Time in transit – November / December

Note all the Asian plants completely shut down for 2 weeks for Chinese New Year Feb. 15. So your last shipments go out around Feb. 1<sup>st</sup>. They have to plan for this shutdown by having enough inventory to make it through this period. The Third Party Certifiers are telling all the MDF and flooring plants that they can't do anything for them until Dec. 12<sup>th</sup>.

**Bottom line we need to have the early labeling issue resolved by July 20<sup>th</sup>.**

Do we have an ETA for the labeling guidance or rulemaking to solve this early labeling problem?

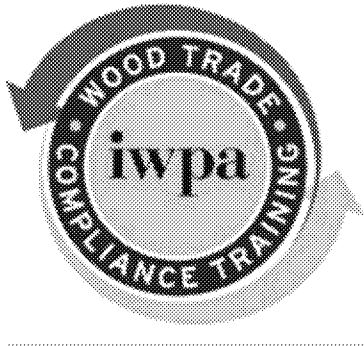
Thanks so much for your help and guidance.

Cindy

Cindy Squires, Esq.  
Executive Director  
International Wood Products Association

**Ex. 6**

Slots for IWPA's Wood Trade Compliance Training are filling up fast! [Reserve](#) your spot.



**From:** Gibson, Jacqueline MacDonald [jackie.macdonald@unc.edu]  
**Sent:** 7/2/2018 11:20:59 PM  
**To:** Druwe, Ingrid [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ffcfa93d12d4d92a7acd2730c889994-Druwe, Ingrid]; drsg-l@indiana.edu; Davis, Allen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a8ecee8c29c54092b969e9547ea72596-Davis, Allen]; Woodall, George [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a617aad87171414a8b9fca5ce395a899-Woodall, George]; Setzer, Woodrow [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=290e3e834a3c4269a441c13712fffc0c-Setzer, Rhyne]; Flowers, Lynn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a4411c874d041b9a8badfc32b91bd70-Flowers, Lynn]; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Schlosser, Paul [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=121cf759d94e4f08afde0ceb646e711b-Schlosser, Paul]; Gift, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=746b029cd80e437d9f62708c339a9ec8-Gift, Jeff]; Jarabek, Annie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8b1de54d48e1429c8129f6499211dbdb-Jarabek, Annie]; White, Louise (HC/SC) [louise.white@canada.ca]; Berner, Ted [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1949c9653024d3cb4aa4c2bd69c4fde-Berner, Ted]; Petersen, Dan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=05e14a620a164436adfae701533b4cd5-Petersen, Dan]; Bussard, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cf26b876393e44f38bdd06db02dbbfe5-Bussard, David]; Farrar, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=edef06d4c2984c0ca28018de77009f4f-Farrar, David]; Young, Melanie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=68e2dfcf2de44532a6fc488358383008-Young, Melanie]; Lowney, Carrie A [carrie.a.lowney@zoetis.com]; Arno Swart [arno.swart@rivm.nl]; Gibson, Jacqueline MacDonald [jackie.macdonald@unc.edu]; Philip Goodrum [pgoodrum@integral-corp.com]; Kenneth Bogen [kbogen@exponent.com]; xly@bnu.edu.cn; Yeager, Raymond (Phil) [Raymond.Yeager@fda.hhs.gov]; Robinan Gentry [rgentry@ramboll.com]; Theodore, Shaji [Shaji.Theodore@fda.hhs.gov]; Nance, Patricia (nancepm) [nancepm@ucmail.uc.edu]; Simmons, Jane [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fd75018b00b4fc29134386374395f44-Simmons, Jane]; Boobis, Alan R [a.boobis@imperial.ac.uk]; Scarano, Louis [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=298e8a818eb6426bb5731a202ab1ac17-Scarano, Louis]; Wayne Landis [Wayne.Landis@wwu.edu]; shays@scipinion.com; Kapraun, Dustin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3a53c151b92a472fbfb295ed5df982a7-Kapraun, Du]; Therese Manning [therese@enrisky.com.au]; Heidi Reamer [Heidi.Reamer@cardno.com]; Wesselkamper, Scott [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c61317cf75984db888d4aa52676e3f05-Wesselkamper, Scott]; Virunya Bhat [virunya.bhat@state.mn.us] helen.goeden@state.mn.us [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b567d1e3f235405783e08b0064579be0-helen.goeden@state.mn.us]; Farland, William [William.Farland@ColoState.EDU]; Hearl, Frank J. (CDC/NIOSH/OD) [fjh1@cdc.gov]; ted@TedSimon-Toxicology.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=94b4028cf7c342488de5bf9c47e6a304-ted@TedSimon-Toxicology.com]; Blessinger, Todd [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f5240ca690c84f8fb20bac6fd7273fd5-Blessinger, Todd]; Kopylev, Leonid [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=abfe6798809e4c8c8a27452ec86726d8-Kopylev, Leonid]; Brinkerhoff, Chris [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8d96248a62bd42bd9a6cd12e5adedaa5-Brinkerhoff, Chris]; Hogan, Karen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb7dc31713d443f0a322f0163d8d7c73-Hogan, Karen]; Wright, Michael

**Ex. 6**

[/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=0087b3fe163145869deead8b626fbfa3-Wright, Michael]; Evans, John S.  
[jevans@hsph.harvard.edu]; Meghan Lynch [Meghan\_Lynch@abtassoc.com]; Zemin Wang  
[/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=ea9552e19af64d3c9f1c06cf415be822-Zemin Wang]; James E. Klaunig  
[/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=95573202fd414b80b0699a2f050205b4-James E. Kl]; Charles Haas  
[haas@drexel.edu]; Mary Jane Calvey [mjcalvey@rwmsinc.com]; Robby and Brandolyn Thran  
**Ex. 6**; Ian Collins [Ian.Collins@ghd.com]; Ed Pfau [epfau@hullinc.com]; Rick Reiss  
[rreiss@exponent.com]; michael.musso@hdrinc.com [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=8b52e049f50f4eb28346ed3701c627a9-michael.mus]; Dalaijamts,  
Chimeddulam [CDalaijamts@cvm.tamu.edu]; Barbara D. Beck [BBECK@gradientcorp.com]; Lorenz Rhomberg  
[lrhomberg@gradientcorp.com]; Wout Slob [wout.slob@rivm.nl]; Chiu, Weihsueh [WChiu@cvm.tamu.edu]  
**CC:** Terje [terje.aven@uis.no]  
**Subject:** Monthly DRSG Meeting-Tomorrow at 12:00 Noon EST

**Importance:** High

Hi All,

This is a reminder about the monthly DSRG meeting, scheduled for tomorrow at 12:00 noon.

Here is call-in information:

**Ex. 6**  
Conference ID: **Ex. 6**  
PIN: **Ex. 6**

Tomorrow's agenda includes the following two items:

1. Covering travel costs for a key presenter at a symposium that Phil Yeager is organizing for the SRA Annual Meeting. The symposium is titled "Evaluating Public Health Impacts of Electronic Nicotine Delivery Systems."
2. A proposed change to the DSRG bylaws allow inclusion of a student or post-doc on the DSRG council.

Please let me know if you'd like to add anything to the agenda.

Many thanks!

Jackie

Dr. Jacqueline MacDonald Gibson  
RTI University Scholar, 2017-2018  
Associate Professor, Department of Environmental Sciences and Engineering  
Gillings School of Global Public Health  
University of North Carolina, Chapel Hill  
Michael Hooker Research Center 0032  
Campus Box 7431  
Chapel Hill, NC 27599-7431  
[jackie.macdonald@unc.edu](mailto:jackie.macdonald@unc.edu)  
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Phone: Ex. 6  
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<http://www.unc.edu/~macdonaj/>

On Jun 5, 2018, at 9:44 AM, Druwe, Ingrid <[Druwe.Ingrid@epa.gov](mailto:Druwe.Ingrid@epa.gov)> wrote:

Hi DRSG,

We are canceling today's meeting. Below are some updates:

- Weihsueh Chiu, DRSG Pres. Submitted public comment to EPA in regards to proposed EPA rule "Strengthening Transparency in Regulatory Science" as member of the public asking that the reference to DRSG be omitted.
- Resha Putzrath and Sara Henry will be representing DRSG at the SRA Program Meeting on June 26<sup>th</sup> in Dulles, VA- **Thank you Resha and Sara!**
- Phil Yeager (FDA) submitted the following symposia for SRA 2018 annual meeting:  
**Symposium: Evaluating Public Health Impacts of Electronic Nicotine Delivery Systems (Yeager and Weil; FDA) SY16-53k83f (This is the overall symposium number)**  
Symposium abstract: Electronic nicotine delivery systems (ENDS) are novel tobacco products that generate a nicotine-containing aerosol inhaled by users. ENDS have been referred to as e-cigarettes, e-hookah, vapes, vaping devices, personal vaporizers, box mods, and trade specific names, among others. ENDS contain flavored and non-flavored liquids, and include a range of device products with different designs, properties, and characteristics that the FDA will evaluate as to whether their marketing in the U.S. is appropriate for the protection of public health. FDA's Center for Tobacco Products will evaluate ENDS submitted in tobacco product applications for scientific data to support these regulatory decisions. A component of this evaluation includes assessing the impact of ENDS on human health, for both users and nonusers. ENDS products and aerosols contain ingredients, impurities and constituents as byproducts of use, and all may pose a hazard to human health. As ENDS products are inhaled during use, the evaluation of these products considers the relevant adverse human health endpoints from inhalation exposures, whether these are portal-of-entry or systemic effects. This session will provide a discussion of approaches to evaluate adverse health effects from ENDS exposures as applicable to individuals and the population. Topics include presentations about the regulatory authority the FDA has over ENDS; approaches to evaluating ENDS ingredients, particularly nicotine and flavors, and constituents; human exposures to nicotine from ENDS; and vape shop worker exposure to ENDS emissions.
  - FDA Tobacco Regulations and Considerations for Evaluating Human Health Risks of Electronic Nicotine Delivery Systems (ENDS) (Weil; FDA) 89-687993
  - Evaluating Flavors in Newly Deemed Tobacco Products (Benson; FDA) 88-909247
  - Electronic cigarette heterogeneity influences individual and population-level effects (Eissenberg; VCU MCV; Academic) 85-739077
  - Evaluation of chemical exposures at three vape shops throughout the United States (Zwack; NIOSH) 87-935636

Phil is requesting \$800 from DRSG to cover Dr. Eissenberg's travel costs (would likely need one day registration and flight costs). Approval of the \$800 expense is pending discussion by the DRSG officers, which will occur via email.

Message

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**From:** Gary Van Sickle [gary@specialtycrops.org]  
**Sent:** 7/31/2017 3:50:39 PM  
**To:** Saquib.Ahsan@fas.usda.gov; catharine.anderson@rma.usda.gov; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Richard.Bireley@cdpr.ca.gov; dcarpent@njaes.rutgers.edu; Richard.Chavez@fas.usda.gov; Ronald.Colby@ARS.USDA.GOV; kristaco@njaes.rutgers.edu; suzanne.conrad@cdfa.ca.gov; Jeff.DeLong@ARS.USDA.GOV; kmfontecha@ucanr.edu; Mark.Freeman@fas.usda.gov; Susan.Fregien@waterboards.ca.gov; mjhengel@ucdavis.edu; Hook, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=178f796f8d834d49aacb303b18e72db6-Hook, James]; Kiely, Timothy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4d74eafd93c4fc7bc22ddbffa249d9-Timothy M Kiely]; vanessa.lester@nifa.usda.gov; Maxwell.leung@cdpr.ca.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13d30a01f94d4f1ead0bd9a6b29c047c-Maxwell.leu]; Eric.C.Longen@aphis.usda.gov; Maignan, Tawanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=55feb19c04b64d36b629242fd3fa4912-Tawanda Maignan]; Mannix, Marianne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=962a1f78b5b444cc93d3654a16a9329e-Mannix, Marianne]; Teresa.Marks@cdpr.ca.gov; bob@calpear.com; Sue.McConnell@waterboards.ca.gov; gobenauf@agresearchconsulting.com; moreilly@nifa.usda.gov; Megan.Parker@cdpr.ca.gov; sparreira@ucanr.edu; Leandro.Ramos@cdfa.ca.gov; fgrosa@ucanr.edu; rebecca.tabor@waterboards.ca.gov; Taylor, Katherine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=178d87778c4448d3b2689fad6a08a958-KTAYLO03]; teferi.tsegaye@ars.usda.gov; gary@specialtycrops.org; Edgar.Vidrio@cdpr.ca.gov; charlie.walthall@ars.usda.gov; Valerie.Wilson@cdpr.ca.gov; Gregory.Wroblicky@cdpr.ca.gov; Yozzo, Krystle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Yozzo, Krystle]  
**CC:** 'Nathan Sano' [nathan@tabcomp.com]  
**Subject:** 2017 CSCC Outreach Tour Aug 7-10  
**Attachments:** 2017 Tour Logistics.docx; Bus Riders 2017.xlsx; Tour schedule 2017.docx

Greetings,

We are now a week out for our tour. The outlook for our tour next week is to have hot temperatures on Tuesday and Thursday. Both days will see a range of 98 to 102 degrees. On Wednesday we will be heading into the Salinas Valley where the temperature will be cool. On Tuesday you can wear shorts, but you will need closed toe shoes, such as tennis shoes or a light weight hiking shoe/boot.. On Wednesday you can also wear shorts in the morning, but you might want to change to long pants at lunch time. Thursday will be okay for shorts. Please remember to bring a lightweight jacket, sunblock, a hat and a notebook.

If you are planning to ride the tour bus from Sacramento to Visalia on Monday please make sure your name is on the bus list (attached). If you are not, please contact me. Likewise, if your name is on the list, but you have made other arrangements to get to Visalia, please contact me. We need each of you to be at the Sacramento Farm Bureau office at 12:00 noon, as the bus needs to depart by 12:30 pm on Monday. Their address information is in the attached logistics document. (It is just north of the downtown area off of the Garden Highway.) We have permission to park our cars in their parking lot and their security staff will be there each night. If you get delayed please call Bob McClain as soon as possible to let him know about your situation. His cell phone is 916-995-5860.

For those that are flying in from the East Coast, if you have flight delays, please call me to advise of your situation and when your new arrival time will be. Please call my number shown below.

I will have a table set up at the hotel on Monday afternoon so you can check in for the tour when you arrive at Visalia. Our Orientation dinner will start with a reception Monday afternoon at 4:30 pm at our hotel in Visalia. Dinner will start at 5:30 pm.

Please let me know if you have any questions regarding the tour.

I look forward to meeting each of you next Monday.

Regards,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council  
31831 Road 132  
Visalia, CA 93292  
Phone: **Ex. 6**  
Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
Website: <http://specialtycrops.org>



## Important Logistics Information for 2017 Tour Participants

### 2017 Specialty Crops Tour August 7-11, 2017

#### For Out of State Travelers:

- Book your flights as follows:  
*Arrive into Fresno, CA on Monday August 7 (arrive Fresno by mid-day)*  
*Depart out of Sacramento on Friday, August 11 any time*
- The tour will **begin in the city of Visalia.**
- For the shuttle from the Fresno airport to Visalia, contact V Line (877-404-6473) or Classic Status at 559-733-9245 week before you arrive. The one-way cost ranges from \$10 on V Line to \$119-149 for Classic Status. V-Lines uses the Visalia Transit Center, which is 4 blocks from the Comfort Suites.
- The event begins Monday at 4:30 PM sharp with a reception and dinner at 5:30 PM at the Comfort Suites.
- Tour progression: Two nights in Visalia, one night in Salinas and one night in Sacramento.
- You must call in your own hotel reservations no later than **Sunday, July 9.**
- The tour ends in Sacramento Thursday afternoon August 10 at approx. 5:00 pm. – please book your flights accordingly. You may leave anytime on Friday, August 11.

#### For Travelers Originating in Sacramento:

- Round-trip bus service will be provided leaving Sacramento on Monday, August 7.
- Please meet at the California Farm Bureau parking lot at **12:00 PM for 12:30 PM departure.**
- The Farm Bureau is located at: 2300 River Plaza Drive, Sacramento, CA 95833 phone: 916-561-5500
- Parking is free.
- Tour progression: Two nights in Visalia and one night in Salinas; return to Sacramento.
- You will be returned to your vehicle Thursday afternoon (August 10) at approx. 5:00 pm.
- The event begins Monday at 4:30 PM sharp with an orientation reception and dinner at the Comfort Suites.

#### Hotel Reservations Will Need to Be Made by You by July 9

You must call in your own reservations no later than Sunday, July 9, 2017. Contact information for the hotels is below. Please note the first two nights of the tour will be spent at the same hotel.

DATE	Mon. and Tue 8/7 & 8	Wed. 8/9	Thurs. 8/10
LOCATION	Visalia	Salinas	Sacramento
HOTEL	Comfort Suites	Laurel Inn	Hampton Inn & Suites, Sacramento Airport
PHONE	(559) 738-1700	(831) 449-2474	(916) 928-5700
RATE	\$99.00 pt	\$84.99 pt	\$119.00 pt
BLOCK CODE	Specialty Crop Tour	CA Specialty Crops	CA Specialty Crops Council Group

#### What to Expect:



Our planning committee has organized the 2017 tour to provide a broad perspective on crop production, pest management and stewardship issues in a variety of locations within California. We will have discussions on pest management, full-use pesticide reporting, the value of the IR-4 Program to California crops, methyl bromide alternatives, food safety, international trade issues, commodity group sponsored research and more.

You will meet growers, pest control advisors, processors, commodity group representatives, farm advisors, and members of the research community.

Participants may be asked to briefly share how their own job or organization relates to the tour content. Be prepared to share...

Most meals, all tour materials, and bus transportation are provided by the tour sponsors. There will also be snacks, cold water and sodas on the bus.

A signed liability waiver will be required.

### **What will the Weather Be Like?**

Plan to experience a wide range of temperatures. In the Central Valley we commonly get into the low 100's at this time of year. The good news is that we have VERY LOW HUMIDITY! On the Coast, it can be very cool and windy during the day and especially in the evenings (50's). The best way to prepare for this is to layer your clothing. Please note: Long pants and closed toe-shoes may be required due to safety regulations at various tour stops. We will inform the group the night before so proper clothing can be worn.

### **Checklist for Transportation into Tour Origination City (Visalia) and Our Hotels:**

- ☐ Make hotel reservation for Mon & Tues (8/7 & 8) in Visalia (559) 738-1700 Comfort Suites Inn. Code: Specialty Crop Tour
- ☐ Make hotel reservation for Wednesday (8/9) in Salinas (831) 449-2474 Laurel Inn. Code: CA Specialty Crops
- ☐ For out of staters... hotel reservation for (8/10) in Sacramento (916) 928-5700 (Hampton Inn) & Suites Code: CA Specialty Crops Council Group.
- ☐ For out of staters...make reservation for shuttle to Visalia: (See info above.)

### **What to Bring:**

- ☐ Casual and practical clothes
- ☐ Long pants are required due to regulations at packing/processing plants
- ☐ Bring shorts in case you want to change after touring packing and processing facilities
- ☐ Light jacket/Sweatshirt – Layering recommended as we will be in very hot and very cool conditions
- ☐ Walking shoes (appropriate for walking in the fields). No open toed sandals during tour time.
- ☐ Hat
- ☐ Sunscreen, Sunglasses and car sickness medicine if needed.
- ☐ Camera (pictures allowed at most stops)
- ☐ Notebook
- ☐ Lots of business cards
- ☐ Small backpacks are recommended to carry your personal items

Contact Gary W. Van Sickle for questions or clarifications, [gary@specialtycrops.org](mailto:gary@specialtycrops.org)

2017 Tour Attendees

Name	Agency
Anderson, Catharine	USDA-RMA
Bireley, Rich	CDPR
Conrad, Suzanne	CDFA
Fontecha, Kathreen	UC-IPM
Fregien, Susan	Water Board
Hengel, Matt	IR-4
Leung, Max	CDPR
Marks, Teresa	CDPR
McClain, Bob	Pear Board
McConnell, Sue	Water Board
Parker, Megan	CDPR
Parreira, Stephanie	IPM
Ramos, Leandro	CDFA
Rosa, Fernanda	IPM
Tabor, Rebecca	Water Board
Taylor, Kathy	EPA-Reg 9
Vidrio, Edgar	CDPR
Wroblicky, Greg	CDPR



## 2017 California Specialty Crops Tour

### Monday, August 7, 2017 Orientation Reception/Dinner (Visalia)

Times	Location	Agenda	Speakers
4:30 PM	Visalia	Reception at Comfort Suites	Comfort Suites, Visalia
5:30 PM	Visalia	Dinner and Orientation – Program concludes by 7 pm	Tricia Blattler, TCFB

### Tuesday, August 8, 2017 Day 1 (San Joaquin Valley)

Times TBC	Location	Agenda	
6:00 AM	Visalia	Breakfast at hotel – Load bus at 6:50 am	
7:00 AM	Visalia	Depart Hotel at 7:00 am	
7:05 AM	Visalia	Citrus ACP Quarantine - HLB	Sean Hardy, CDFA & Judy Zaninovich
7:50 AM	N. of Visalia	Prune Production and IPM	Rick Buckner – Gary Obenauf
9:15 AM	Reedley	Stone Fruit – Packing for Fresh Market	B&C Packing – Jeff Bortolussi
10:25 AM	Selma	Raisin Production	Bill Chandler (John or Tom)
11:15 AM	Parlier	Nectarine Production	Rod Milton
12:00 PM	Parlier	Lunch @ USDA-ARS facility	Lunch @ USDA-ARS facility
12:45 PM	Parlier	USDA/ Agricultural Research Service Overview	Jim Throne
1:00 PM	Parlier	Water Management Issues in the San Joaquin Vall	Jim Ayars
1:30 PM	Parlier	Water Coalition Situation	Parry Klassen
2:00 PM	Parlier	Post-Harvest Research to overcome trade barriers	Spencer Walse
3:00 PM	Reedley	PCA Role, Chemical Storage – Gar Tootelian Inc.	Greg and Karen Musson
4:30 PM	Arrive Visalia	Return to Hotel /Dinner on Your Own	

### Wednesday, August 9, 2017 Day 2 (Visalia to Salinas)

Times TBC	Location	Agenda	
6:00 AM	Visalia	Breakfast at hotel – Luggage out to bus by 6:30 am	Load bus at 6:50 am
7:00 AM	Visalia	Depart Comfort Suites – Depart at 7:00 am	
7:00 AM	Visalia	Water Overview – Bus Speaker	Aubrey Bettencourt
8:00 AM	Huron	Garlic, Onions, Westside Water Situation	Dave Anderson & Bob Ehn
9:00 AM	Coalinga	Sequoia Packing – Onion packing facility	Christian Marrione
9:30 AM	Coalinga	Pepper 101	Glen Fischer
11:15 AM	King City	Pepper Field Visit	Glen Fischer
12:00 PM	King City	Lunch @ King City Park	Glen Fischer
1:10 PM	Soledad	B&P Packing - Carrot Packing Facility	Nathan Sano & Bob Bigiongni
1:45 PM	Salinas area	Leafy vegetables, pesticide applications, buffer zones, salad processing plant, thinning machine, tank mixing, posting requirements, storage facility	Mary Zischke, Mark Mason Mark McLaughlin
5:30 PM	Castroville	Dinner and Synthesis Discussion at La Scuola located in Castroville	Hosted by Grower-Shipper Association and Leafy Greens Research Board
Eve.	Salinas	Hotel check in at Laurel Inn, Salinas	

### Thursday, August 10, 2017 Day 3 (Salinas to Sacramento)

Times TBC	Location	Agenda	
6:00 AM	Salinas	Breakfast at hotel – Luggage out to bus by 6:30 am	Breakfast at hotel
6:50 AM	Depart Salinas	Departure from Laurel Inn, Salinas	Departure from Laurel Inn, Salinas
7:05 AM	Salinas	Leafy Greens – harvesting	Mary Zischke
8:00 AM	Salinas	Fumigation Demonstration	Tri Cal– Abbie Asche
8:45 AM	Salinas	Strawberry Production – MB alternative trials	Mercy Olmstead, & Jackie Vazquez
11:15 AM	Los Banos	Melon Production & Food Safety Program	Steve Wilson – Justin Patricio
12:00 PM	Los Banos	Lunch	Gene Brandi
12:30 PM	Los Banos	Honey Bees and Pollination	Gene Brandi
1:00 PM	Los Banos	Leave for Walnut Grove	
2:45 PM	Delta area	IPM, in Pears and Cherries – Robert Arceo Ranch	Bob McClain – Chuck Ingles
3:30 PM	Delta area	Vertebrate pests and control	Roger Baldwin, UC Davis
4:45 PM	Sacramento	Arrive Sacramento – Amtrak?/Hampton Inn & Suites	Arrive Sacramento no later than 4:45 PM
5:00 PM	Sacramento	Arrive at Farm Bureau	

07/20/17

Message

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**From:** Gary Van Sickle [gary@specialtycrops.org]  
**Sent:** 8/14/2017 6:53:22 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** CSCC Outreach Tour  
**Attachments:** Evaluation Form.docx

Hi Nancy,

I hope you made it home safely. Attached is the evaluation form for the tour. I would appreciate it if you would complete and return to me.

As to our DC visit, we will be at the Crystal City Office on Wednesday October 18. We have an appoint with Rick Keigwin at 8:30 am. We will be in conference room 12100.

Thank you very much for taking time from your busy schedule to join on the tour this year. Greatly appreciated.

Regards,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council  
31831 Road 132  
Visalia, CA 93292  
Phone: Ex. 6  
Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
Website: <http://specialtycrops.org>

# 2017 California Specialty Crops Tour Evaluation

1. The tour content was helpful for my job. (circle one)

Not helpful

Helpful

Extremely helpful

0      1      2      3      4      5      6      7      8      9      10

2. One word that describes your experience on the 2017 Specialty Crops Tour:

3. Please complete the following sentences.

*The tour was beneficial to me in my job because...*

*The most interesting/insightful thing on this tour was...*

*As a result of this educational event, I want to...*

*The most surprising thing(s) about CA agriculture I have learned the past three days was...*

4. Yes/No As a result of this tour I will enjoy more fruits, nuts and vegetables! Yes / No ☺

5. Please circle what agency/org you are with:

EPA

IR-4

CDFA

CDPR

CVRWB

University

USDA

Other

***Thanks for your comments and also for attending! Safe travels...***

Message

---

**From:** Joe O'Donnell [joe@iwpawood.org]  
**Sent:** 6/7/2017 4:45:21 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Understood! Let me check with our team about Friday dates and times and I'll get you some options.

Sincerely,  
Joe

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Wednesday, June 7, 2017 11:32 AM  
**To:** Joe O'Donnell <joe@iwpawood.org>  
**Cc:** Cindy Squires <cindy@iwpawood.org>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
We are quite distracted right now trying to get everything done to meet our June 22 TSCA deadlines. Thus the calendar is a bit crazy.  
We could try for a 30 minute meeting if that works. It seems a Friday may be best.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]  
**Sent:** Tuesday, June 6, 2017 3:37 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Cindy Squires <cindy@iwpawood.org>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Hi Nancy, I wanted to follow up in the e-mail below. Our industry group is interested in briefing you on the outstanding issues with the formaldehyde rule and our thoughts about the best way to address them.

If tomorrow doesn't work I'm happy to work with you to find a day and time that will!

Sincerely,  
Joe

---

**From:** Joe O'Donnell  
**Sent:** Thursday, June 1, 2017 4:49 PM  
**To:** 'Dravis, Samantha' <dravis.samantha@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

**Cc:** Cindy Squires <cindy@iwpawood.org>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Samantha and Nancy,

Our joint industry group (International Wood Products Association, Kitchen Cabinet Manufacturers Association, American Home Furnishings Alliance, National Retail Federation, Retail Industry Leaders Association, and the Recreational Vehicles Industry Association) is interested in meeting with you to discuss our priorities for regulatory reform, especially with respect to the Formaldehyde Emission Standards for Composite Wood Products regulation.

As you know, EPA has issued a direct final rule with respect to the effective date and compliance timeline issue and we understand that additional changes are expected to be released soon. A meeting would allow us to brief you on how a few other common sense reforms would ease the regulatory burden on U.S. manufacturers in our industries and free up resources for growth and job creation.

If it works for you, we suggest Wednesday, June 7<sup>th</sup> at 3:00pm.

Please don't hesitate to contact Cindy or me with any questions you have.

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, VA 22302

**Ex. 6**

Fax: (703) 820-8550

---

**From:** Dravis, Samantha [mailto:dravis.samantha@epa.gov]

**Sent:** Friday, May 12, 2017 2:41 PM

**To:** Joe O'Donnell <joe@iwpawood.org>; Beck, Nancy <Beck.Nancy@epa.gov>; Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>; Winchester, Erik <Winchester.Erik@epa.gov>

**Cc:** Cindy Squires <cindy@iwpawood.org>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Thank you.

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]

**Sent:** Friday, May 12, 2017 11:10 AM

**To:** Dravis, Samantha <dravis.samantha@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>; Winchester, Erik <Winchester.Erik@epa.gov>

**Cc:** Cindy Squires <cindy@iwpawood.org>

**Subject:** new joint industry submission on import declaration provisions of the formaldehyde rule

Friends, in addition to submission through Regulations.gov, we wanted to share with you a copy of the joint industry comments we prepared along with the American Home Furnishings Alliance, the Kitchen Cabinet Manufacturers Association, the Recreational Vehicle Industry Association, and the Retail Industry Leaders Association expressing our concerns about the import declaration provision of the Formaldehyde Emission Standards for Composite Wood Products regulation.

For reference I have also included the broader document that outlines our shared concerns about additional aspects of the regulation as well as a letter we had previously sent to Administrator Pruitt concerning the effective date and compliance timeline issue.

If you have questions about any of these matters please do not hesitate to reach out to Cindy or me.

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager of Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, Virginia 22302

Ex. 6

Fax: (703) 820-8550



Message

---

**From:** Joe O'Donnell [joe@iwpawood.org]  
**Sent:** 7/5/2017 7:43:02 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Cindy Squires [cindy@iwpawood.org]  
**Subject:** letter of invitation - IWPA Board and Member Meeting  
**Attachments:** Nancy Beck invitation.pdf

Nancy, please find attached a letter from Cindy Squires inviting you to participate in an issue briefing we will be holding as part of IWPA's Board and Member Meeting on Tuesday, September 12<sup>th</sup>.

Let us know if you have any questions. We hope you are able to join us!

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, VA 22302

**Ex. 6**

Fax: (703) 820-8550



July 5, 2017

Nancy Beck, Ph.D., DABT  
Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
U.S. Environmental Protection Agency  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, N.W.  
Mail Code: 7101M  
Washington, D.C. 20460

Dear Dr. Beck:

I write to invite you to provide a briefing as part of IWPA's upcoming Board and Member Meeting on the EPA's Formaldehyde Emission Standards for Composite Wood Products regulation. IWPA members would greatly appreciate the opportunity to learn more about implementation of the regulation and discuss changes we have put forward that are in keeping with President Trump's efforts to reduce the regulatory burden on U.S. manufacturers and other businesses that rely on imported wood products to support American jobs.

We would propose that the issue briefing be held **Tuesday, September 12, from 10:15 to 11:15 am**, with the first 20 minutes of that time dedicated to the formaldehyde regulation and the remaining 40 minutes dedicated to invited government speakers on other topics of importance to our industry. Our Board and Member Meeting will be taking place at the Hilton Alexandria Old Town at 1767 King Street, Alexandria, Virginia, adjacent to the King Street Metro Station. We would certainly be flexible on timing to accommodate your busy schedule.

Thank you for your thoughtful consideration, and I am hopeful that you will be able to participate. Our Senior Manager of Government and Public Affairs, Joe O'Donnell, stands ready to coordinate with you and your staff. He can be reached by e-mail at [Joe@iwpawood.org](mailto:Joe@iwpawood.org) or by phone at **Ex. 6**

Sincerely,

Cindy L. Squires, Esq.  
Executive Director  
International Wood Products Association

Message

---

**From:** Gary Van Sickle [gary@specialtycrops.org]  
**Sent:** 8/16/2017 5:46:42 PM  
**To:** Saquib.Ahsan@fas.usda.gov; catharine.anderson@rma.usda.gov; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Richard.Bireley@cdpr.ca.gov; dcarpent@njaes.rutgers.edu; Richard.Chavez@fas.usda.gov; Ronald.Colby@ARS.USDA.GOV; kristaco@njaes.rutgers.edu; suzanne.conrad@cdfa.ca.gov; Jeff.DeLong@ARS.USDA.GOV; kmfontecha@ucanr.edu; Mark.Freeman@fas.usda.gov; Susan.Fregien@waterboards.ca.gov; mjhengel@ucdavis.edu; Hook, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=178f796f8d834d49aacb303b18e72db6-Hook, James]; Kiely, Timothy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4d74eafd93c4fc7bc22ddbffa249d9-Timothy M Kiely]; vanessa.lester@nifa.usda.gov; Maxwell.leung@cdpr.ca.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13d30a01f94d4f1ead0bd9a6b29c047c-Maxwell.leu]; Eric.C.Longen@aphis.usda.gov; Maignan, Tawanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=55feb19c04b64d36b629242fd3fa4912-Tawanda Maignan]; Mannix, Marianne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=962a1f78b5b444cc93d3654a16a9329e-Mannix, Marianne]; Teresa.Marks@cdpr.ca.gov; bob@calpear.com; Sue.McConnell@waterboards.ca.gov; shelah.i.morita@aphis.usda.gov; gobenauf@agresearchconsulting.com; moreilly@nifa.usda.gov; Megan.Parker@cdpr.ca.gov; sparreira@ucanr.edu; Leandro.Ramos@cdfa.ca.gov; fgrosa@ucanr.edu; rebecca.tabor@waterboards.ca.gov; Taylor, Katherine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=178d87778c4448d3b2689fad6a08a958-KTAYLO03]; gary@specialtycrops.org; Edgar.Vidrio@cdpr.ca.gov; Valerie.Wilson@cdpr.ca.gov; Gregory.Wroblecky@cdpr.ca.gov; Yozzo, Krystle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Yozzo, Krystle]  
**Subject:** FW: Vertebrate information  
**Attachments:** Helpful websites.pdf; Burrowing rodents-Specialty Crop 2017 (25 min).pdf

Greetings,

I hope all of you have recovered from our busy days last week. Attached is information from Dr. Baldwin regarding his presentation at the pear/cherry stop near Sacramento.

Regards,

Gary

**From:** "Roger A Baldwin" <rabaldwin@ucanr.edu>  
**To:** "Bob McClain" <bob@calpear.com>  
**Subject:** Vertebrate information

Bob,

At the field site visit last week, you had requested that I e-mail you the documents I provided to the attendees. Here are those documents. Hope they help!

Roger A. Baldwin, Ph.D.  
Wildlife Specialist  
Department of Wildlife, Fish, and Conservation Biology  
One Shields Ave.  
University of California, Davis  
Davis, CA 95616  
Phone: Ex. 6  
E-mail: [rabaldwin@ucdavis.edu](mailto:rabaldwin@ucdavis.edu)



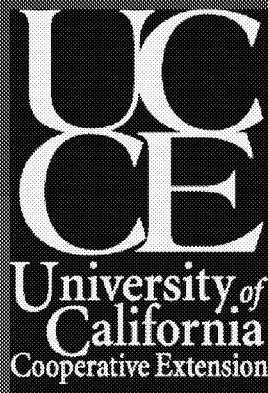
# Managing Burrowing Rodents in Specialty Crops—What's New?

Roger A. Baldwin

UCCE Wildlife Specialist

Department of Wildlife, Fish, & Conservation Biology

University of California, Davis



**UC DAVIS**  
UNIVERSITY OF CALIFORNIA

# Carbon Monoxide Machines

- Legalized in CA since January 1, 2012.
- Potential advantages for CO:
  - Safer for use
  - Multiple applications
- Will now be regulated by CDPR.

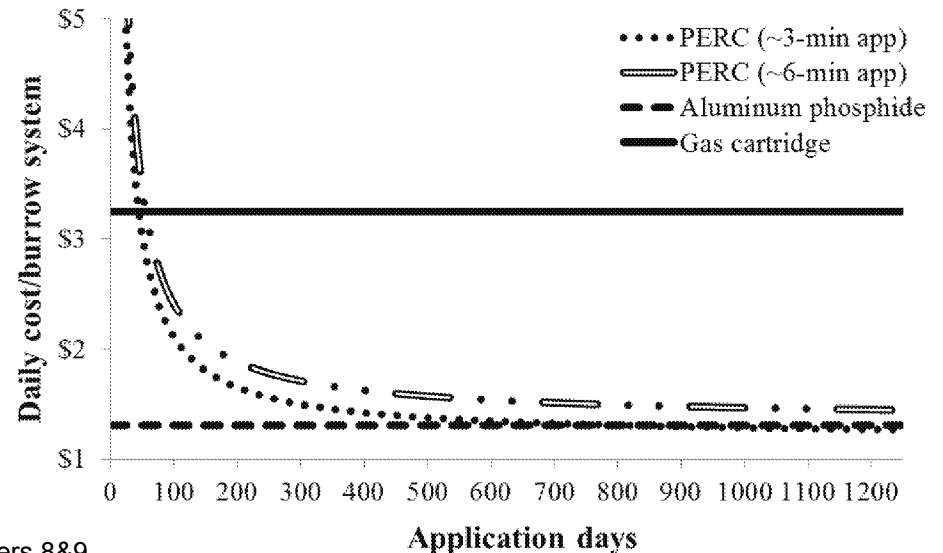
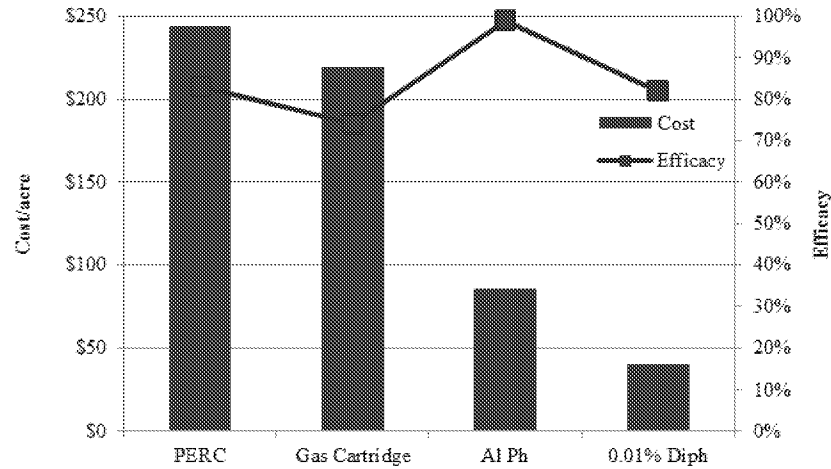


# Carbon Monoxide Machines

Species	Device	Authors	# of fields	Efficacy
Pocket gopher	PERC	Orloff	3	56%
Pocket gopher	PERC	Baldwin & Orloff	3	62%
Pocket gopher	PERC	Baldwin & Orloff	2	68%
Belding's GS	PERC	Orloff	2	76%
California GS	PERC	Baldwin	2	66%
California GS	PERC	Baldwin	2	100%
California GS	Cheetah	Baldwin	3	-7%

# Control Technique Comparison-CA GS

CA GS Cost and Efficacy Comparison

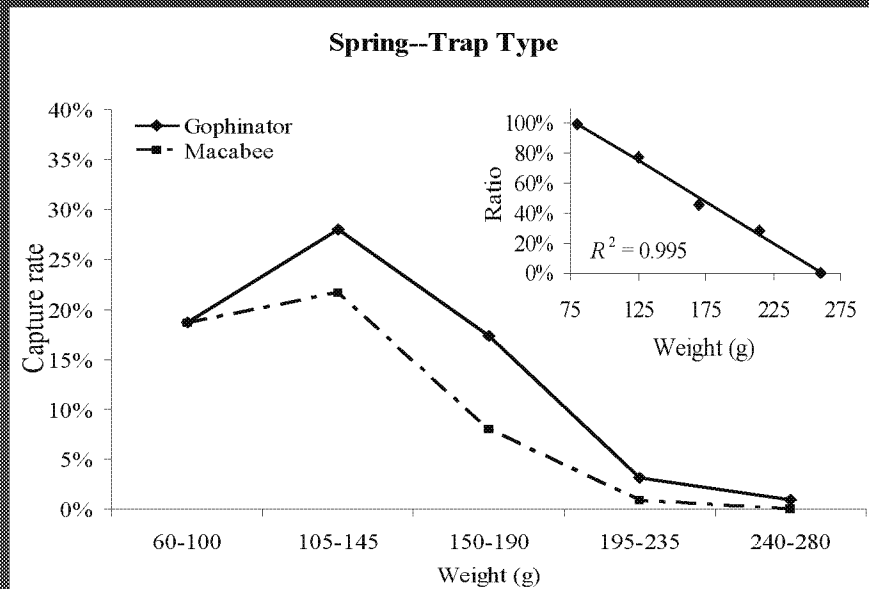
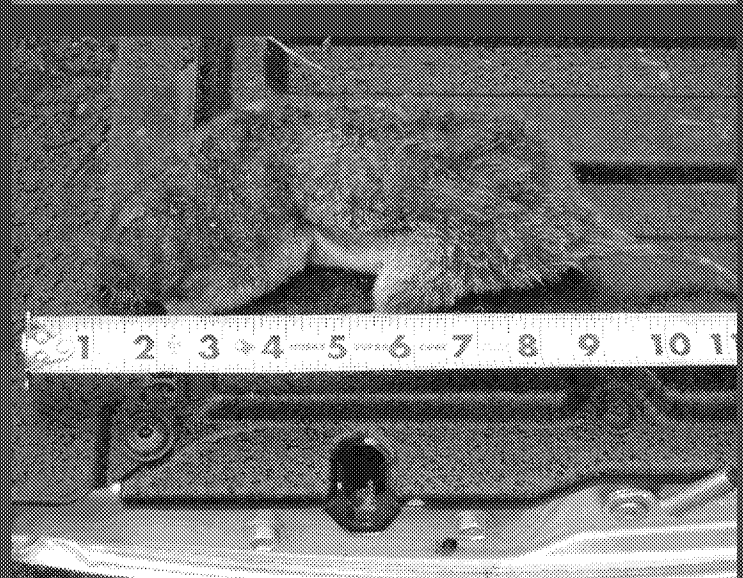
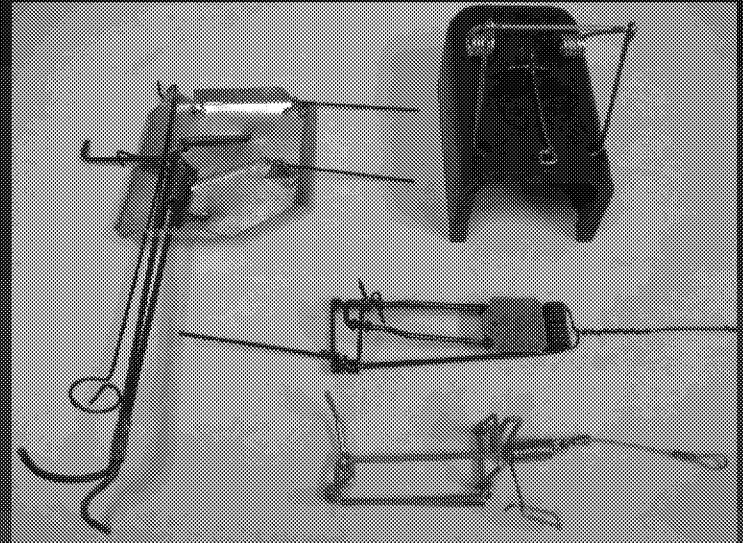




# Trapping—Options

## Pocket gophers

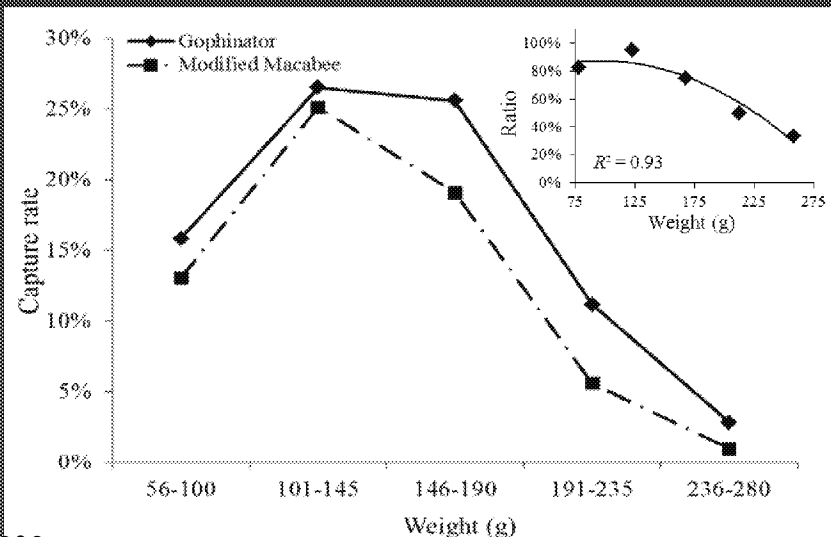
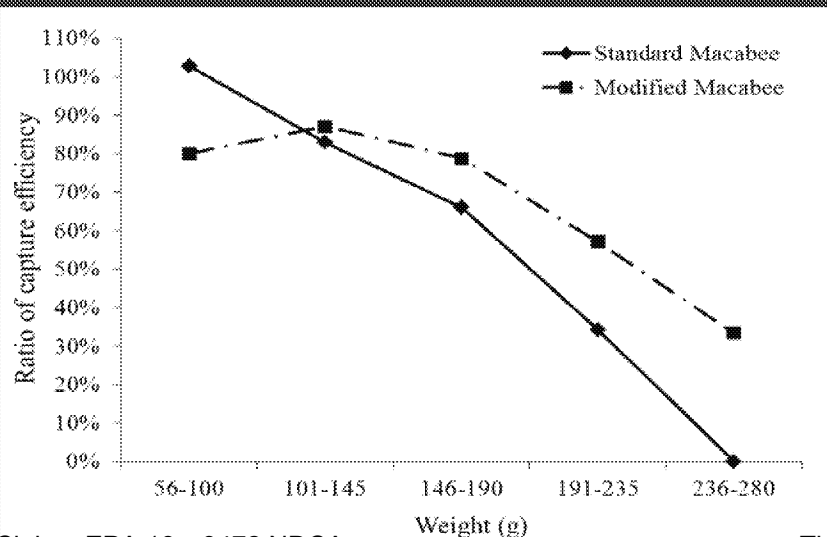
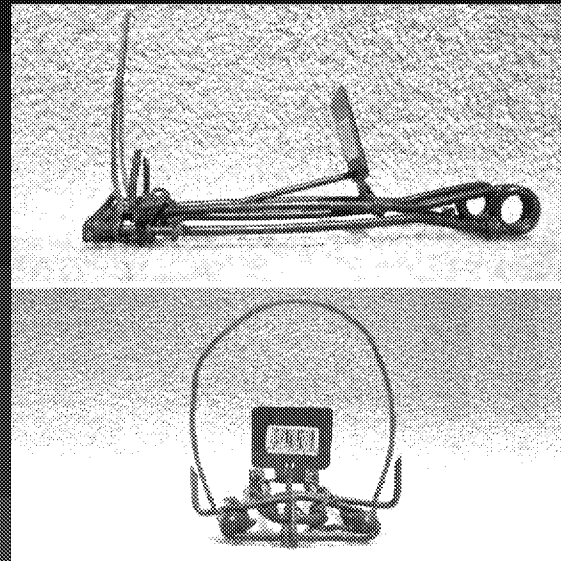
- Gophinator trap was more effective than Macabee trap.
- Captured heavier gophers at a greater rate.



# Trapping—Options

## Pocket gophers

- Modified Macabee increased capture success when compared to standard Macabee, but still underperformed when compared to the Gophinator.



# Trapping—Options

## Pocket gophers

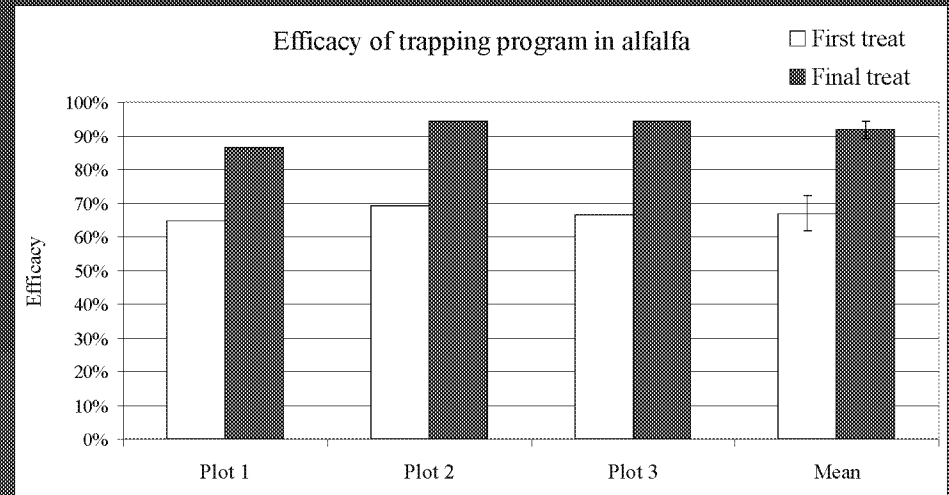
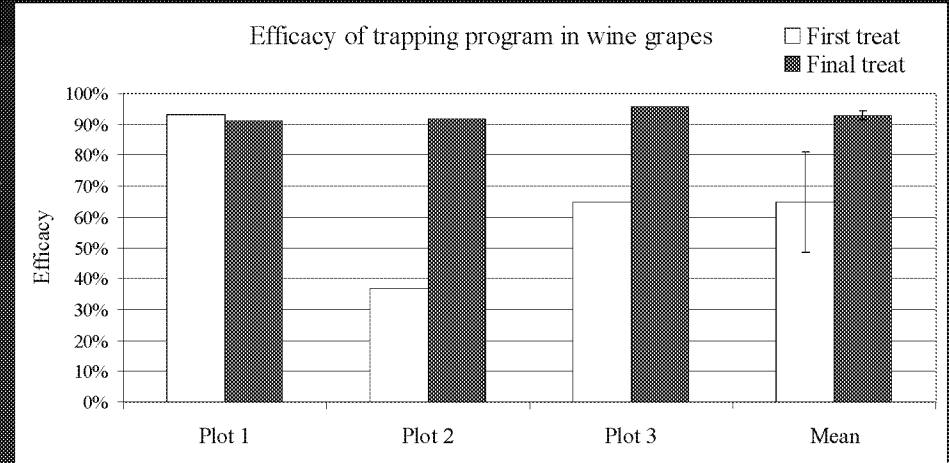
- Covered sets yielded slightly higher capture rates in spring-summer, but not autumn.
- Efficacy was offset by setting time.
- We did not observe a difference in the number of captures across attractants.
- Human scent had no effect.



# Trapping—Efficacy

## Pocket gophers

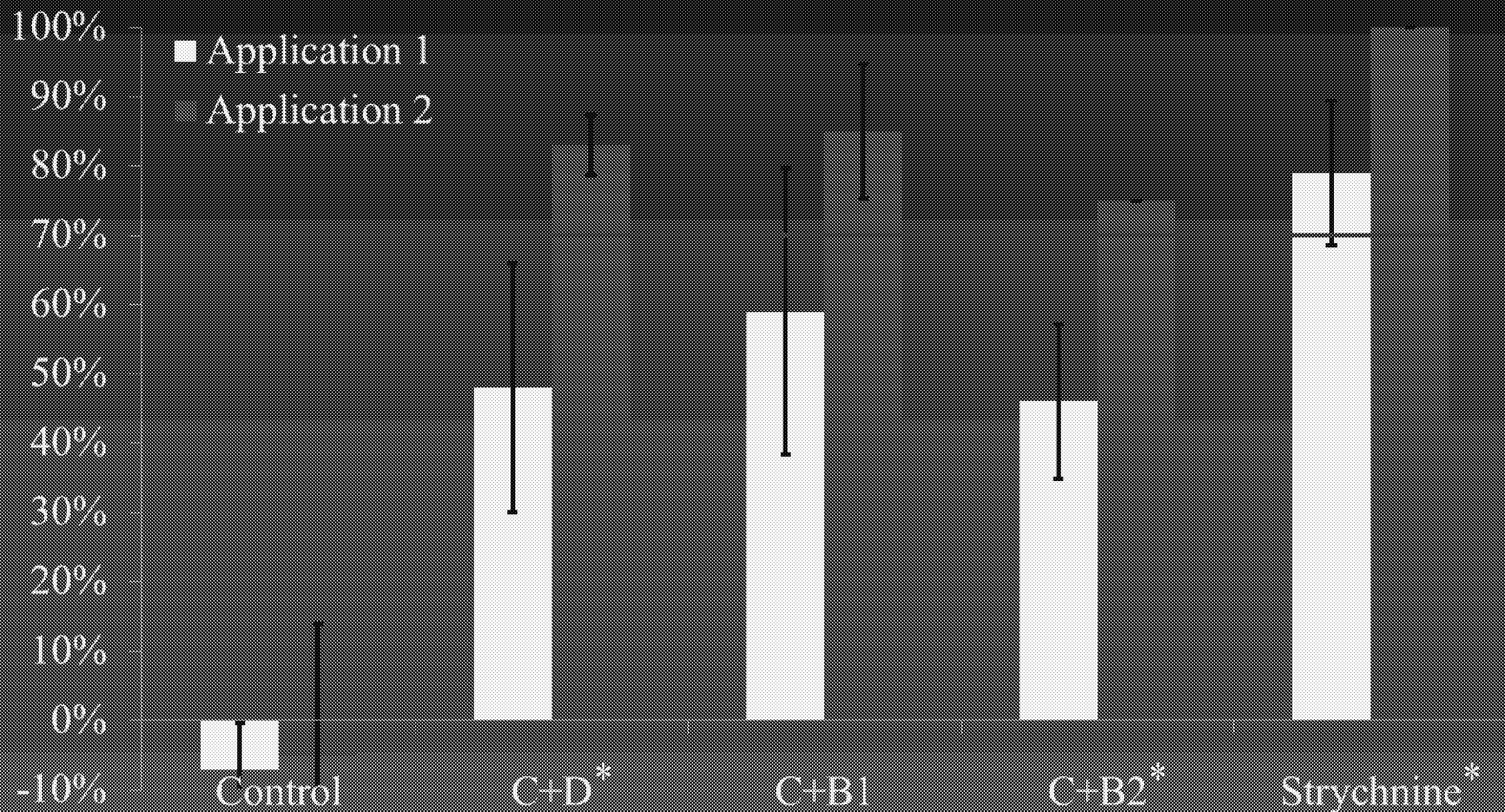
- Exhibited high efficacy in wine grapes after two treatments.
- Exhibited high efficacy in alfalfa after two treatments.



# Pocket Gopher Rodenticides

Product	AI	Carrier	S. Rosa	Pala	Total
Control	Maintenance diet	Rat chow	1/10	0/10	5%
CDFA	Chlorophacinone (0.01%)	Oat grain	3/5	2/5	50%
Rozol	Chlorophacinone (0.005%)	Wheat grain	3/5	2/5	50%
Wilco D	Diphacinone (0.005%)	Milo grain	-----	0/5	0%
RCO Patrol	Diphacinone (0.005%)	Pellet	1/5	2/5	30%
Wilco ZP	Zinc Phosphide (2.0%)	Wheat grain	2/5	3/5	50%
Bell ZP	Zinc Phosphide (2.0%)	Pellet	4/5	0/5	40%
Omega	Strychnine (0.5%)	Oat grain	5/5	0/5	50%
Avalon	Strychnine (0.5%)	Mixed grain	5/5	1/5	60%
Bromethalin	Bromethalin (0.01%)	Milo grain	-----	0/10	0%
Terad <sub>3</sub>	Cholecalciferol (0.075%)	Pellet	-----	2/5	40%
C+D	Chole (0.03%) + Diph (0.005%)	Pellet	5/5	3/5	80%
C+B <sub>1</sub>	Chole (0.03%) + Brod (0.0025%)	Pellet	-----	5/5	100%
C+B <sub>2</sub>	Chole (0.015%) + Brod (0.0025%)	Pellet	5/5	5/5	100%
C+B <sub>3</sub>	Chole (0.015%) + Brod (0.00125%)	Pellet	-----	6/10	60%

# Pocket Gopher Rodenticides

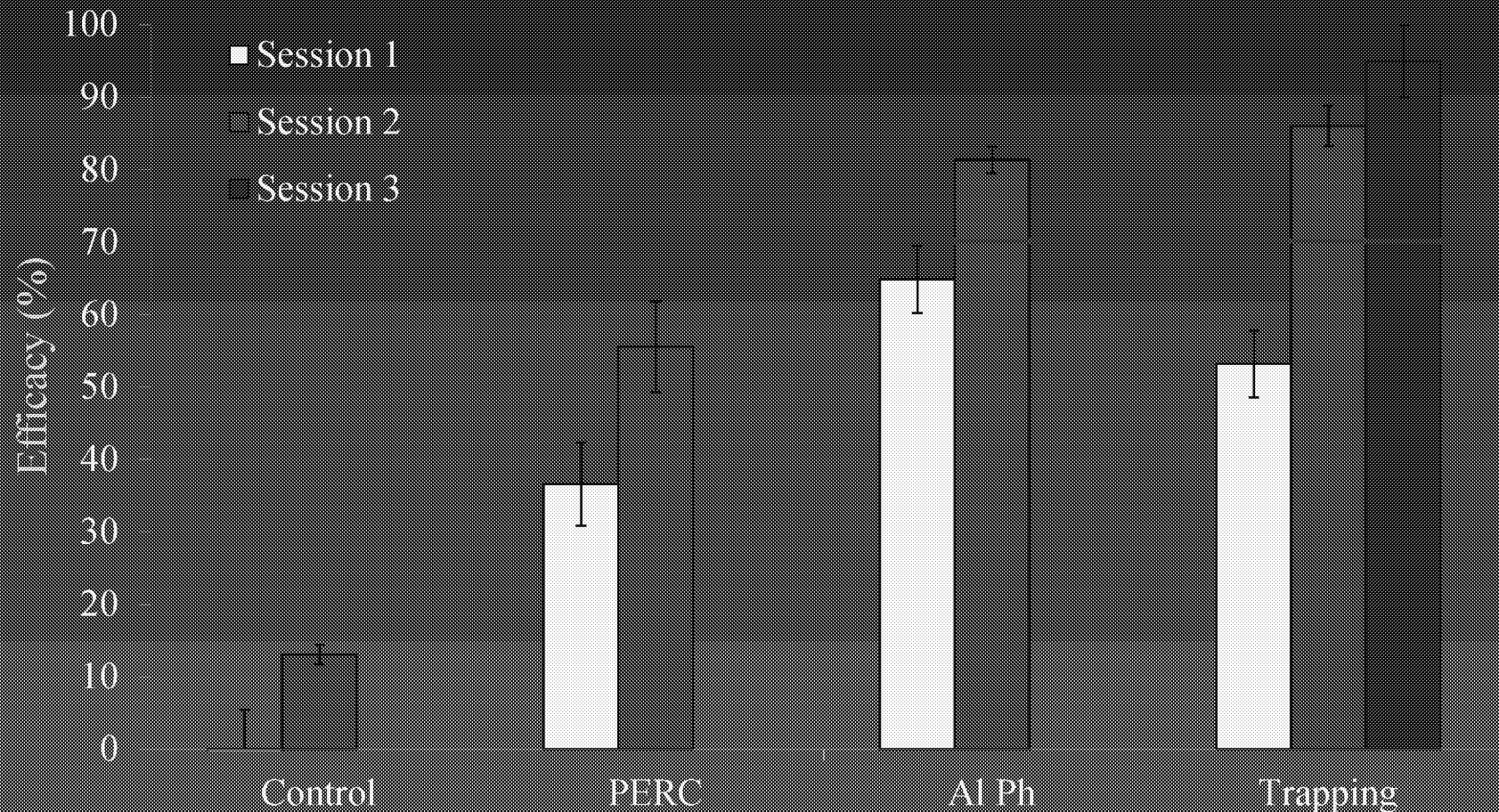


\* Significantly > 70%;  $P < 0.10$ .

- C+B1 may still be worth pursuing.

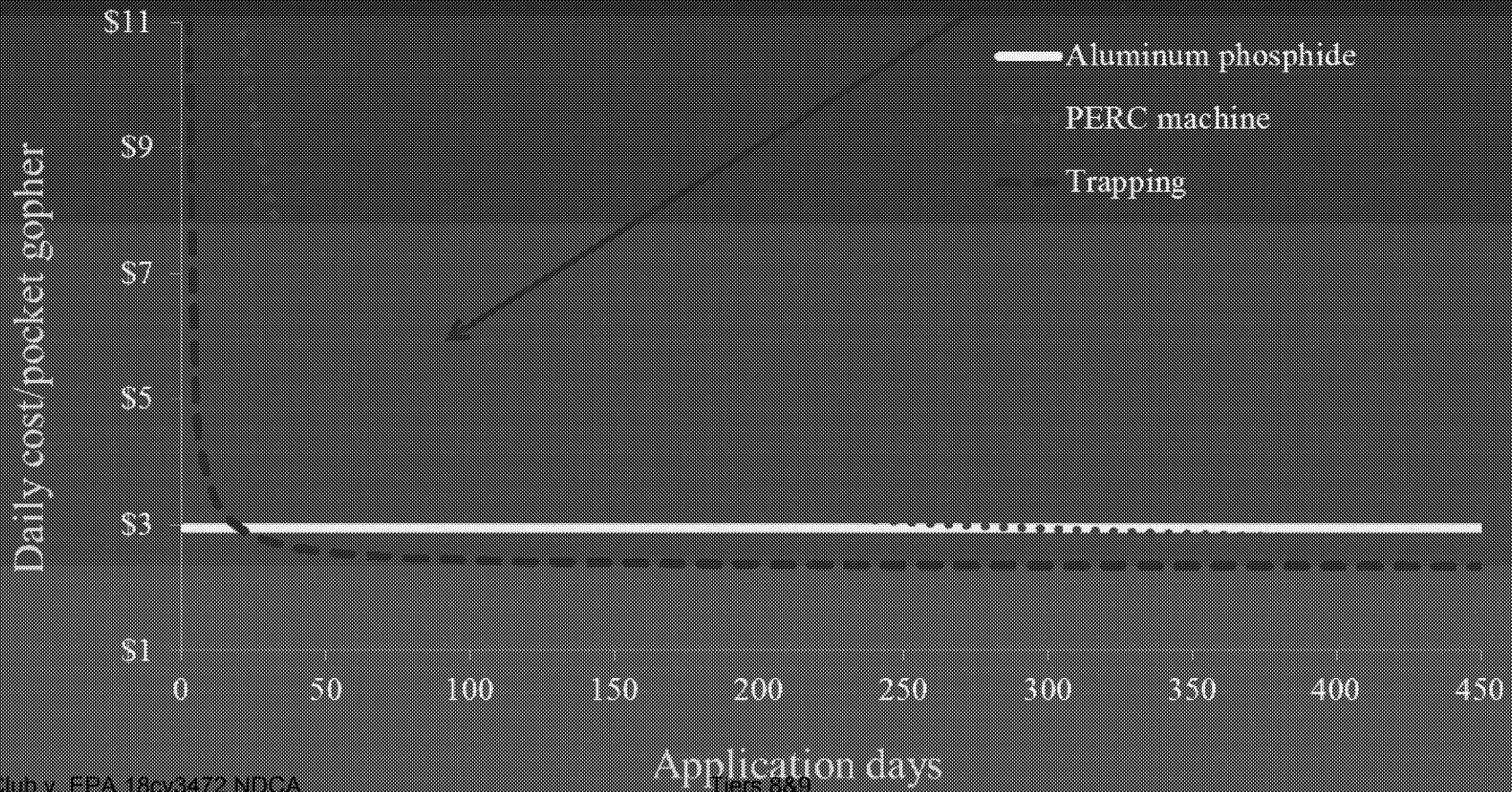
# Control Options—Comparisons

- Trapping and aluminum phosphide were most effective for gophers.



# Control Options—Comparisons

- Trapping = 44 gophers removed per day
- Aluminum phosphide = 44 gophers removed per day
- PERC = 47 gophers removed per day





# Options—Repellents

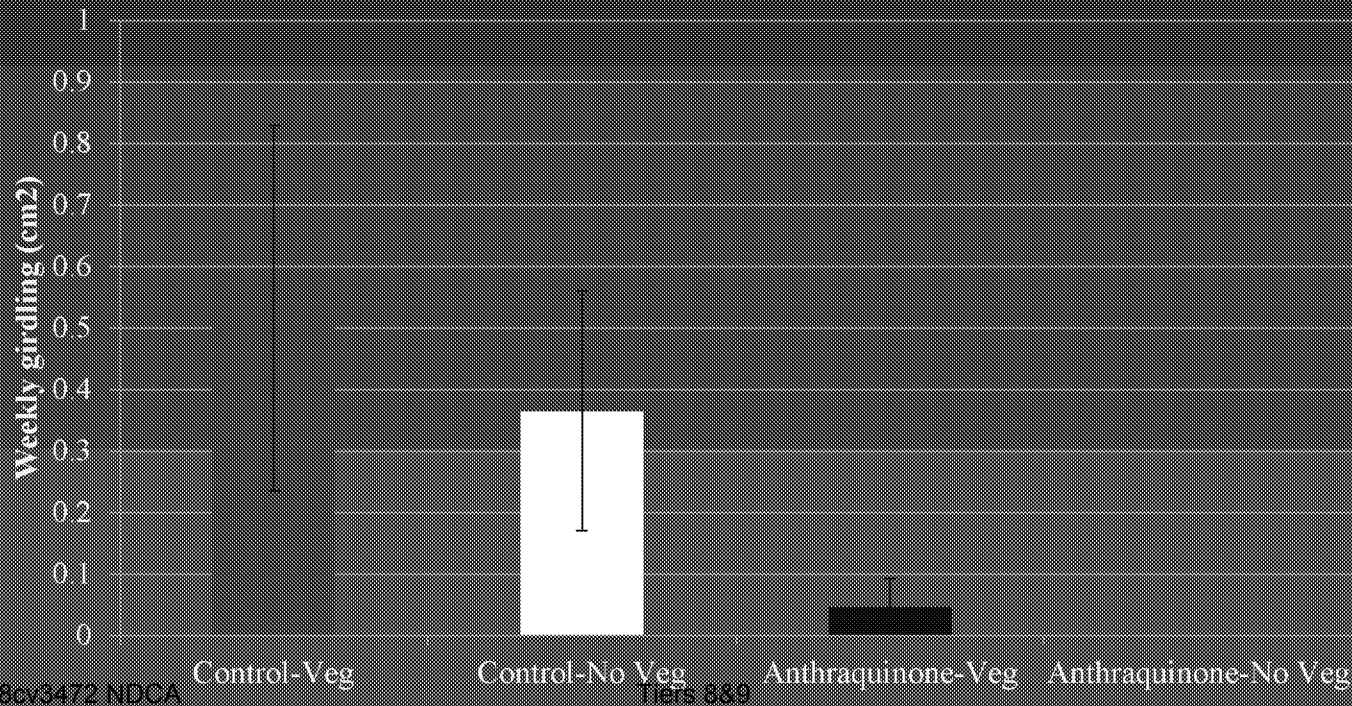
## Repellents

- rely on objectionable odors or unpleasant tastes/responses.
- commonly available but none proven effective.
- anthraquinone may show some promise.



# Options—Repellents

- Vegetation removal + anthraquinone reduced damage
  - vegetation: 0.05 cm<sup>2</sup>, no vegetation: 0 cm<sup>2</sup>;  $P = 0.059$
- Removal of vegetation by itself did not reduce damage
  - vegetation: 0.53 cm<sup>2</sup>, no vegetation: 0.37 cm<sup>2</sup>;  $P = 0.143$





Questions?

# INFORMATIVE RESOURCES FOR HUMAN-WILDLIFE CONFLICT

Much information is currently available to assist with human-wildlife conflict problems. I've listed a number of websites below that may be of use when dealing with such situations.

*UC IPM Pest Notes.*—Valuable resource for information pertaining to many wildlife pest issues for California. <http://www.ipm.ucdavis.edu/PMG/menu.vertebrate.html>

*The Vertebrate Pest Control Handbook.*—Contains extensive information on many subjects pertaining to human-wildlife conflict in California including information on general biology of California birds and mammals, laws and regulations, the role of wildlife in spreading disease, and information on the use of toxicants and fumigants for controlling wildlife pests in California. Chapters are currently under revision. Those that have been revised are noted as such. <http://www.vpcrac.org/about/vertebrate-pest-handbook/>

*California Department of Pesticide Regulation Endangered Species Query.*—Allows the applicator or landowner to determine if any threatened or endangered species are found at a location where pesticides are to be used. Simply add information to query to determine if any endangered species are present and need to be considered before applying the pesticide of interest. You will have to click on “PRESCRIBE” under the “DATA SOURCE” drop down menu to initiate a PRESCRIBE query. <http://calpip.cdpr.ca.gov/county.cfm>

*Internet Center for Wildlife Damage and Management.*—Contains extensive information on wildlife pest control, although it is designed for the entire U.S., not just California. Therefore, other websites may provide more specific information for California. Nonetheless, it is a valuable resource. <http://icwdm.org>

*Extension.*—Similar to the ICWDM website listed above. Excellent resource, but provides information for all of the U.S. [http://www.extension.org/wildlife\\_damage\\_management](http://www.extension.org/wildlife_damage_management)

*Southern California Urban Wildlife Management.*—For those interested in human-wildlife conflict issues in urban settings, you can follow on twitter. [@SCUWMCouncil](https://twitter.com/SCUWMCouncil)

*Wildlife Pest Control around Gardens and Homes.*—A good resource for managing damage from urban wildlife pests, as well as related conflict issues in more rural settings. Available for purchase at: <http://anrcatalog.ucanr.edu/Details.aspx?itemNo=21385>

*Roger Baldwin webpage.*—My personal webpage includes links to many useful resources that can be used to help manage a number of human-wildlife conflict situations. The webpage includes the resources listed above. <http://baldwin.ucdavis.edu>

Message

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**From:** Franklin, Charles L. [clfranklin@AKINGUMP.com]  
**Sent:** 7/21/2017 4:49:51 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Thank you

Nancy, thank you for taking the time to meet with the Eastman team today. It was a pleasure to finally meet you in person.

Looking forward to talking further on this and other matters.

Best

**Charles L. Franklin**

**AKIN GUMP STRAUSS HAUER & FELD LLP**

1333 New Hampshire Avenue, N.W. || Washington, DC 20036-1564 || USA

Fax: +1 202.887.4288 || [clfranklin@akingump.com](mailto:clfranklin@akingump.com) || [akingump.com](http://akingump.com) || [Bio](#)

**Ex. 6**

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

Message

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**From:** BERNSTEIN Rebecca [rebecca.bernstein@arkema.com]  
**Sent:** 6/19/2017 2:14:34 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** KUNZ David [david.kunz@arkema.com]  
**Subject:** Arkema Comments re: EPA Guidance on Nanomaterials Data Call-In  
**Attachments:** Arkema Inc. Comments to EPA Nanomaterials Draft Guidance Document.pdf

Hi Nancy,

As we discussed in our meeting on May 24, Arkema filed the attached comments to the EPA's Draft Guidance on the Nanomaterials Data Call-In.

Regards,

Rebecca

Rebecca J. Bernstein  
Senior Director, PS&RA  
Arkema Inc.  
900 First Avenue  
King of Prussia, PA 19406

Ex. 6

Ce courriel, pièces jointes incluses, peut contenir des informations confidentielles et/ou couvertes par le secret professionnel et/ou propriété du Groupe Arkema ou de tiers. Il ne peut être utilisé que dans le cadre de son objet. Si vous n'en êtes pas le destinataire, merci d'en informer l'expéditeur par retour et de supprimer ce courriel sans le lire, le copier ni le distribuer. Merci.

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Phone: Ex. 6  
Fax: 610-205-7096  
Asst.: 610-205-7070  
Email: [rebecca.bernstein@arkema.com](mailto:rebecca.bernstein@arkema.com)

**Product Safety & Regulatory Affairs  
Health, Environment & Safety**

June 15, 2017

Jim Alwood  
Chemical Control Division (7405M)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460-0001

Docket ID#: EPA-HQ-OPPT-2010-0572

Re: Arkema Inc. Comments to Draft Guidance for Reporting of Chemical Substances  
When Manufactured or Processed as Nanoscale Materials; Notice of Availability  
and Request for Comment

Dear Mr. Alwood:

Arkema is a diversified global chemicals manufacturer. In the United States, Arkema Inc. (including subsidiaries and affiliates) operates 34 facilities in 19 states, including two research and development centers. Arkema Inc. employs approximately 3400 people in the United States. Arkema appreciates the opportunity to provide Comments to Draft Guidance for Reporting of Chemical Substances When Manufactured or Processed as Nanoscale Materials.

Arkema manufactures emulsion polymers that are used in the production of latex paints and coatings. These emulsion polymers are chains of reacted monomers that form liquid polymers trapped within a surfactant (water) micelle. The liquid polymers only retain their integrity as long as the surfactant is acting as a physical and electrostatic barrier. Once that barrier collapses (if the water is removed), coagulation occurs. If you remove the water phase, the emulsion polymers deform, collapse and ultimately flow into each other to form a cohesive film. They do not remain discrete polymers when dry.

Arkema requests that EPA address the following questions in its guidance:

Question: Does EPA consider the following chemical substance a solid at 25C: an emulsion polymer that consists of a chain of reacted monomers that form liquid polymers trapped within a surfactant micelle where the polymer only retains its integrity as long as the surfactant acts as a physical and/or electrostatic barrier?

Discussion: Arkema manufactures emulsion polymers that are used in the production of latex paints and coatings. These emulsion polymers are chains of reacted monomers that form liquid polymers trapped within a surfactant (water) micelle. The liquid polymers only retain their

Arkema Inc.  
900 First Avenue  
King of Prussia, PA 19406

United States Environmental Protection Agency  
Mr. Jim Alwood  
June 15, 2017  
Page 2

integrity as long as the surfactant is acting as a physical and electrostatic barrier. Once that barrier collapses (if the water is removed), coagulation occurs. If you remove the water phase, the emulsion polymers deform, collapse and ultimately flow into each other to form a cohesive film. They do not remain discrete polymers when dry.

Please note that the publication "**Terminology of polymers and polymerization processes in dispersed systems (IUPAC Recommendations 2011)**", *Pure Appl. Chem.*, Vol. 83, No. 12, pp. 2229–2259 (2011) defines an emulsion as a "Fluid system in which liquid droplets are dispersed in a liquid;" and an emulsion polymer as an "Emulsion in which the *dispersed phase* is a liquid polymer or a polymer solution." (See attached).

Therefore, Arkema does not believe that such emulsion polymers constitute a solid at 25C.

Arkema appreciates the opportunity to provide written comments to the Office of Pollution Prevention and Toxics (OPPT) regarding EPA's Draft Guidance for Reporting of Chemical Substances When Manufactured or Processed as Nanoscale Materials these substances. If you wish to discuss the issues raised in this letter in greater detail, please do not hesitate to contact me.

Sincerely,



Rebecca J. Bernstein  
Senior Director  
Product Safety & Regulatory Affairs

RJB:mm

cc: Nancy Beck

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## Terminology of polymers and polymerization processes in dispersed systems (IUPAC Recommendations 2011)\*

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**Abstract:** A large group of industrially important polymerization processes is carried out in dispersed systems. These processes differ with respect to their physical nature, mechanism of particle formation, particle morphology, size, charge, types of interparticle interactions, and many other aspects. Polymer dispersions, and polymers derived from polymerization in dispersed systems, are used in diverse areas such as paints, adhesives, microelectronics, medicine, cosmetics, biotechnology, and others. Frequently, the same names are used for different processes and products or different names are used for the same processes and products. The document contains a list of recommended terms and definitions necessary for the unambiguous description of processes, products, parameters, and characteristic features relevant to polymers in dispersed systems.

**Keywords:** dispersed systems; glossary; IUPAC Polymer Division; polymer terminology; polymerization processes; terminology.

### CONTENTS

1. INTRODUCTION
2. POLYMER PARTICLES
3. PARTICLE DIAMETERS, AVERAGE PARTICLE DIAMETERS, AND PARTICLE-DIAMETER DISPERSITY

\*Sponsoring body: IUPAC Polymer Division; see more details on p. 2254.

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4. PARTICLE MORPHOLOGY
  5. COLLOIDAL AND RELATED SYSTEMS
  6. POLYMERIZATION PROCESSES
  7. TERMS RELATED TO POLYMERIZATION PROCESSES
  8. AGGREGATION AND RELATED PROCESSES
  9. MEMBERSHIP OF SPONSORING BODY
  10. REFERENCES
- APPENDIX A: ALPHABETICAL LIST OF TERMS AND GROUPS OF TERMS  
APPENDIX B: LIST OF RECOMMENDED SYMBOLS AND ABBREVIATIONS

## 1. INTRODUCTION

A large group of industrially important polymerization processes is carried out in dispersed systems. These processes differ with respect to their physical nature, mechanism of particle formation, particle morphology, size, charge, types of interparticle interactions, and many other aspects. Polymer dispersions, and polymers derived from polymerization in disperse systems, are used in diverse areas such as paints, adhesives, microelectronics, medicine, cosmetics, biotechnology, and others. Frequently, the same names are used for different processes and products or different names are used for the same processes and products. The present list of recommended terms and definitions is necessary for the unambiguous description of processes, products, parameters, and characteristic features relevant to polymers in dispersed systems.

For ease of reference, the terms in each section, subsection, etc. are listed alphabetically and numbered sequentially. Cross-references to terms defined elsewhere in the document are denoted in *italic* typeface. If there are two terms in an entry on successive lines, the second is a synonym.

## 2. POLYMER PARTICLES

### 2.1 polymer particle

Particle of polymer of any shape.

*Note:* For the description of a particle, the expression “size” is often used. However, because this expression does not have a sufficiently precise meaning its usage is not recommended.

### 2.2 polymer bead

Sphere of polymer, usually with a diameter in the range from one-tenth to a few millimeters.

### 2.3 polymer microparticle

Particle of polymer of any shape with an *equivalent diameter* from approximately 0.1 to 100  $\mu\text{m}$ .

#### 2.3.1 polymer microsphere

*Polymer microparticle* of spherical shape.

#### 2.3.2 polymer microcapsule

See *microcapsule*.

**2.4 polymer nanoparticle**

Particle of polymer of any shape and an *equivalent diameter* from approximately 1 to 100 nm.

**2.4.1 polymer nanosphere**

*Polymer nanoparticle* of spherical shape.

**2.4.2 polymer nanocapsule**

See *nanocapsule*.

**2.5 polymer gel particle**

Particle of gel in which the *network* component is a polymer.

**2.5.1 gel microparticle  
microgel**

Particle of gel of any shape with an *equivalent diameter* of approximately 0.1 to 100  $\mu\text{m}$ .

*Note:* Definition based on ref. [1].

**2.5.2 gel nanoparticle  
nanogel**

Particle of gel particle of any shape and an *equivalent diameter* of approximately 1 to 100 nm.

**2.5.3 microgel**

See *gel microparticle*.

**2.5.4 nanogel**

See *gel nanoparticle*.

**2.6 polymer network particle**

Particle having any shape and composed of a polymer network and possibly species of finite molar mass.

**2.7 latex**

Colloidal dispersion of polymer particles in a liquid.

*Note:* The polymer in the particles may be organic or inorganic.

**2.7.1 artificial latex**

Latex obtained by emulsification of a polymer or oligomer solution in a liquid or by emulsification of a liquid polymer or liquid oligomer in a liquid.

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*Pure Appl. Chem.*, Vol. 83, No. 12, pp. 2229–2259, 2011

**2.7.2 hybrid latex**

- a. Latex comprising a polymer of relatively high molar mass and an oligomer or an alkyd resin, in which there is usually chemical bonding between the two components, formed either during latex synthesis or subsequently after formation of a film from the latex.
- b. Latex comprising multicomponent particles that contain both organic and inorganic material phases.

**2.7.3 inverse latex**

Nonaqueous latex in which the *dispersed phase* comprises hydrophilic polymer usually swollen with water.

*Note:* An inverse latex is usually formed by *inverse emulsion*, *inverse micro-emulsion*, or *inverse mini-emulsion polymerizations* in which water-soluble monomer(s) dissolved in the dispersed phase is (are) polymerized.

**2.7.4 latex particle**

Polymer particle that is present in a latex.

**2.7.5 natural latex**

Latex, the *dispersed phase* of which is obtained from various plants.

*Note 1:* The dispersed phase is often polyisoprene (2-methyl-1,3-butadiene). An example is latex from the rubber tree, *Hevea brasiliensis*.

*Note 2:* Many plants when wounded produce a milky, sticky sap that is referred to as a latex.

**2.7.6 synthetic latex**

Latex obtained as a product of an *emulsion*, *mini-emulsion*, *micro-emulsion*, or *dispersion polymerization*.

**3. PARTICLE DIAMETERS, AVERAGE PARTICLE DIAMETERS, AND PARTICLE-DIAMETER DISPERSITY****3.1 equivalent particle diameter, SI unit: nm**

Diameter of a hypothetical spherical particle of the same composition that, using a given particle-size determination method, would give the same diameter as a substance composed of spherical or non-spherical particles at the same concentration.

*Note:* Although the equivalent particle diameter is not a precisely defined quantity, as its value depends on the experimental method used for its determination, it is useful for particle characterization.

## 3.2 average particle diameters and particle-diameter dispersity

Diameter		Symbols and formulae
3.2.1	number-average particle diameter	$\langle d_N \rangle = \bar{d}_N = \frac{\sum N_i d_i}{\sum N_i}$
3.2.2	surface-average particle diameter	$\langle d_s \rangle = \bar{d}_s = \frac{\sum N_i d_i^3}{\sum N_i d_i^2}$
3.2.3	mass-average particle diameter	$\langle d_m \rangle = \bar{d}_m = \frac{\sum N_i d_i^5}{\sum N_i d_i^4}$
3.2.4	z-average particle diameter	$\langle d_z \rangle = \bar{d}_z = \frac{\sum N_i d_i^6}{\sum N_i d_i^5}$
3.2.5	volume-average particle diameter	$\langle d_v \rangle = \bar{d}_v = \frac{\sum N_i d_i^7}{\sum N_i d_i^6}$
3.2.6	particle-diameter dispersity	$D_d = \langle d_m \rangle / \langle d_N \rangle = \bar{d}_m / \bar{d}_N = \frac{\sum N_i d_i^5}{\sum N_i d_i^4} \frac{\sum N_i d_i}{\sum N_i d_i^2}$

Note 1: In the formulae,  $N_i$  denotes the number of particles of diameter  $d_i$ .

Note 2: Averages may be denoted by  $\langle \rangle$  or by  $\bar{\phantom{x}}$ .

Note 3: In principle, any method suitable for measuring the diameters of single particles (e.g., electron microscopy) could be used for the determination of all the averages given in the table. However, some experimental methods allow determination only of particular diameter averages.

Note 4: Average diameters are defined and calculated by using relations or ratios between the main moments of a representative statistical distribution that is the particle diameter distribution (e.g., z-average diameter is the fifth momentum over the fourth one).

Note 5: The definition of mass-average diameter is meaningful only for latexes where the particles all have the same density.

Note 6: The definition of the z-average diameter is meaningful only for latexes where the particles all have the same density and refractive index.

Note 7: The term "particle-diameter dispersity" and the symbol  $D_d$  are an extension of the terms molar-mass dispersity ( $D_M$ ) and degree-of-polymerization dispersity ( $D_X$ ), where  $D_M = M_w/M_n$  and  $D_X = X_w/X_n$  [2].

Note 8: For "particle-diameter dispersity", the term "diameter-polydispersity index" is not recommended as "polydispersity" is an undefined quantity. The term "non-uniformity factor" is also not recommended.

## 4. PARTICLE MORPHOLOGY

### 4.1 composite particle

See *multicomponent particle*.

### 4.2 homogeneous particle

Particle that is spatially uniform with respect to chemical composition of the constituent polymer(s).

*Note:* A particle that is chemically homogeneous but has a radial distribution function of composition that is not step-like is not a homogeneous particle. Similarly, a block-copolymer micelle is not a homogeneous particle, although all constituent copolymer molecules can have identical compositions.

### 4.3 multicomponent particle structured particle composite particle

Inhomogeneous particle consisting of two or more immiscible components.

*Note 1:* The components can be solid, liquid, or gaseous.

*Note 2:* Multicomponent particles are often obtained by sequential polymerizations of different monomers or monomer mixtures.

#### 4.3.1 core-shell particle

Polymer particle comprising at least two phase domains, one of which (the core) lies within the other(s) that form the polymeric outer layer(s) (the shell(s)).

*Note 1:* Examples of core-shell particles are shown in Fig. 1. A core may be composed of one single-phase domain of one type of polymer or copolymer block in a shell of a different type of polymer (or copolymer block).

*Note 2:* Core-shell particles may be obtained by seeded *emulsion polymerization* in which the *seed particles* form the cores of the new particles, and polymer produced in the second stage and subsequent stages, if any, forms the shell.

*Note 3:* Core-shell particles in which polymer synthesized in the second stage is located within one single domain, and the particles and polymer constituting the initial seed are located in the shell are usually called *inverted core-shell particles*.

##### 4.3.1.1 microcapsule

Core-shell particle with an *equivalent particle diameter* in the approximate range 0.1 to 100  $\mu\text{m}$ , wherein the core is a fluid (liquid or gas) or a solid that may subsequently be released.

##### 4.3.1.2 nanocapsule

Core-shell particle with an *equivalent particle diameter* in the approximate range from 1 to 100 nm, wherein the core is a fluid (liquid or gas) or a solid that may subsequently be released.

#### 4.3.2 inverted core-shell particle

Core-shell particle in which polymer synthesized in the second stage is located in the core of the particle and polymer constituting the initial seed is located in the shell.

*Note:* See Fig. 1.

#### 4.3.3 multilayered particle

Multicomponent particle made of at least two different polymers, with an inner core of one polymer and with at least two layers of different polymers.

*Note:* See Fig. 1.

#### 4.3.4 occluded particle

Multicomponent particle in which one polymer forms more than one phase domain within a matrix of another polymer.

*Note 1:* See Fig. 1.

*Note 2:* The number and size of the domains can vary, and their spatial distribution within the particles is often not uniform.

*Note 3:* This type of particle is also referred to as having microdomain morphology.

#### 4.3.5 partially engulfed particle

Multicomponent particle in which one or more polymer(s) cover(s) most, but not all, of the particle surface.

*Note 1:* See Fig. 1.

*Note 2:* The degree of coverage may vary when neither polymer is preferentially covering the other one. The morphology is commonly referred to as a hemisphere.

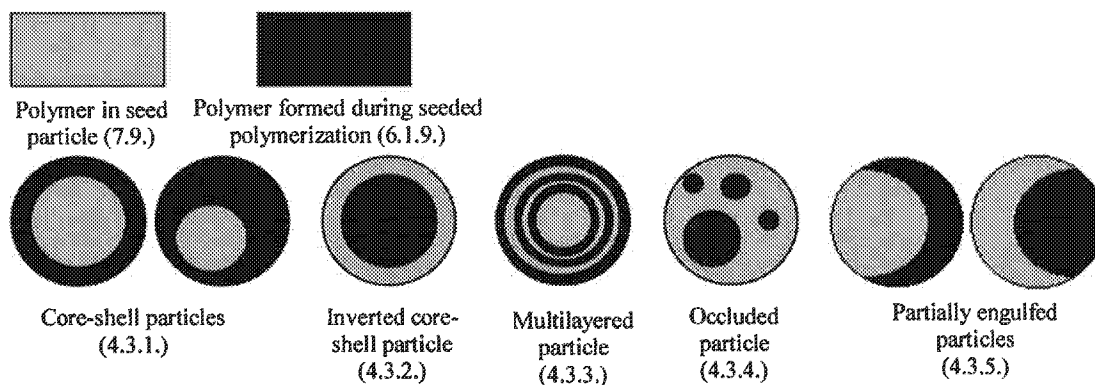


Fig. 1 Examples of two-phase particle morphology.

**4.4 macroporous particle**

Particle containing pores of diameters exceeding about 50 nm.

*Note:* For definition of macropores, see ref. [3].

**4.5 mesoporous particle**

Particle containing pores of diameters between approximately 2 and 50 nm.

*Note:* For definition of mesopores, see ref. [3].

**4.6 microporous particle**

Particle containing pores of diameters not exceeding 2 nm.

*Note:* For definition of micropores, see ref. [3].

**4.7 structured particle**

See *multicomponent particle*.

**5. COLLOIDAL AND RELATED SYSTEMS****5.1 dispersed phase**

Phase constituted of particles of any size and of any nature dispersed in a *continuous phase* of a different composition.

**5.2 continuous phase**

Phase not interrupted in space

*Note:* The continuous phase may be gaseous, liquid, or solid.

**5.3 dispersion medium**

Matrix for the *dispersed phase*

*Note 1:* The dispersion medium is the *continuous phase* of the dispersion.

*Note 2:* If the continuous phase is a gas, the dispersion is called an aerosol [1].

**5.4 dispersion**

Material comprising more than one phase where at least one of the phases consists of finely divided phase domains, often in the *colloidal* size range, dispersed throughout a *continuous phase*.

*Note 1:* Modification of definition in ref. [1].

**5.4.1 nonaqueous dispersion**

*Dispersion* in which the *continuous phase* is nonaqueous.



**5.4.2 polymer dispersion**

Dispersion in which the *dispersed phase* consists of a polymer.

**5.5 colloid**

Short synonym for *colloidal* system.

*Note:* Quotation from refs. [1,4].

**5.5.1 colloidal**

State of subdivision such that the molecules or polymolecular particles dispersed in a medium have at least one dimension between approximately 1 nm and 1  $\mu\text{m}$ , or that in a system discontinuities are found at distances of that order.

*Note:* Quotation from refs. [1,4].

**5.5.2 colloid stabilizer**

Compound increasing stability of a *colloid*.

*Note:* A colloid stabilizer may be added to a colloid or synthesized during colloid preparation.

**5.6 polymer colloid**

Colloidal dispersion in which at least one of the phases is a polymer, either organic, or inorganic or some combination of the two.

*Note 1:* For the definition of colloidal dispersion, see ref. [4].

*Note 2:* The term “polymer colloid” is more general than *latex*. In a latex the *dispersed phase* is always a polymer, whereas in a polymer colloid this need not be so.

*Note 3:* Particles of a liquid or a gas dispersed in a polymer, particles comprising “empty” shells made of polymers, and aerosols of polymer particles are all known examples.

**5.7 suspension**

Dispersion of solid particles in a liquid.

*Note:* Definition based on that in ref. [4].

**5.7.1 colloidal suspension**

System in which particles of *colloidal* size of any nature (e.g., solid, liquid, or gas) are dispersed in a *continuous phase* of a different composition (or state) [1,4].

*Note:* The definition is based on refs. [1,4].

**5.8 emulsion**

Fluid system in which liquid droplets are dispersed in a liquid.

*Note 1:* The definition is based on the definition in ref. [4].

*Note 2:* The droplets may be amorphous, liquid-crystalline, or any mixture thereof.

*Note 3:* The diameters of the droplets constituting the *dispersed phase* usually range from approximately 10 nm to 100  $\mu\text{m}$ , i.e., the droplets may exceed the usual size limits for colloidal particles.

*Note 4:* An emulsion is termed an oil/water (o/w) emulsion if the dispersed phase is an organic material and the *continuous phase* is water or an aqueous solution and is termed water/oil (w/o) if the dispersed phase is water or an aqueous solution and the continuous phase is an organic liquid (an "oil").

*Note 5:* A w/o emulsion is sometimes called an inverse emulsion. The term "inverse emulsion" is misleading, suggesting incorrectly that the emulsion has properties that are the opposite of those of an emulsion. Its use is therefore not recommended.

### 5.8.1 polymer emulsion

Emulsion in which the *dispersed phase* is a liquid polymer or a polymer solution.

*Note:* The dispersing phase may be a low-molecular-weight liquid or a solution of another polymer.

### 5.8.2 macro-emulsion

Emulsion in which the particles of the *dispersed phase* have diameters from approximately 1 to 100  $\mu\text{m}$ .

*Note 1:* Macro-emulsions comprise large droplets and thus are "unstable" in the sense that the droplets sediment or float, depending on the densities of the dispersed phase and dispersion medium. Separation of the dispersed and *continuous phases* usually occurs within time periods from a few seconds to a few hours, depending upon the viscosity of the fluid medium and the size and density of the droplets.

*Note 2:* Macro-emulsions usually contain low-molecular-weight or polymeric surfactants that decrease the rates of coalescence of dispersed droplets. Droplets of the dispersed phase may be also stabilized by adsorption of solid particles onto their surface (so-called Pickering stabilization).

### 5.8.3 mini-emulsion

Emulsion in which the particles of the *dispersed phase* have diameters in the range from approximately 50 nm to 1  $\mu\text{m}$ .

*Note 1:* Mini-emulsions are usually stabilized against diffusion degradation (Ostwald ripening [1]) by a compound insoluble in the *continuous phase*.

*Note 2:* The dispersed phase contains mixed stabilizers, e.g., an ionic surfactant, such as sodium dodecyl sulfate (*n*-dodecyl sulfate sodium) and a short aliphatic chain alcohol ("co-surfactant") for colloidal stability, or a water-insoluble compound, such as a hydrocarbon ("co-stabilizer" frequently and improperly called a "co-surfactant") limiting diffusion degradation. Mini-emulsions are usually stable for at least several days.

#### 5.8.4 micro-emulsion

Dispersion made of water, oil, and surfactant(s) that is an isotropic and thermodynamically stable system with dispersed domain diameter varying approximately from 1 to 100 nm, usually 10 to 50 nm.

*Note 1:* In a micro-emulsion the domains of the *dispersed phase* are either globular or interconnected (to give a bicontinuous micro-emulsion).

*Note 2:* The average diameter of droplets in macro-emulsion (usually referred to as an “*emulsion*”) is close to one millimeter (i.e.,  $10^{-3}$  m). Therefore, since micro- means  $10^{-6}$  and emulsion implies that droplets of the dispersed phase have diameters close to  $10^{-3}$  m, the micro-emulsion denotes a system with the size range of the dispersed phase in the  $10^{-6} \times 10^{-3}$  m =  $10^{-9}$  m range.

*Note 3:* The term “micro-emulsion” has come to take on special meaning. Entities of the dispersed phase are usually stabilized by surfactant and/or surfactant-cosurfactant (e.g., aliphatic alcohol) systems.

*Note 4:* The term “oil” refers to any water-insoluble liquid.

#### 5.9 gel

Nonfluid colloidal network or polymer network that is expanded throughout its whole volume by a fluid [1].

*Note 1:* A gel has a finite, usually rather small, yield stress.

*Note 2:* A gel can contain:

- (i) a covalent polymer network, e.g., a network formed by crosslinking polymer chains or by nonlinear polymerization;
- (ii) a polymer network formed through the physical *aggregation* of polymer chains, caused by hydrogen bonds, crystallization, helix formation, complexation, etc., that results in regions of local order acting as the network junction points. The resulting swollen network may be termed a “thermoreversible gel” if the regions of local order are thermally reversible;
- (iii) a polymer network formed through glassy junction points, e.g., one based on block copolymers. If the junction points are thermally reversible glassy domains, the resulting swollen network may also be termed a *thermoreversible gel*;
- (iv) lamellar structures including mesophases {[3] defines lamellar crystal and mesophase}, e.g., soap gels, phospholipids, and clays;
- (v) particulate disordered structures, e.g., a flocculent precipitate usually consisting of particles with large geometrical anisotropy, such as in  $V_2O_5$  gels and globular or fibrillar protein gels.

*Note 3:* Corrected from [4], where the definition is via the property identified in Note 1 (above) rather than of the structural characteristics that describe a gel.

##### 5.9.1 polymer gel

*Gel* in which the network component is a polymer network.

*Note:* Definition quoted from ref. [1,4].

#### 5.9.1.1 hydrogel

*Gel* in which the swelling agent is water.

*Note 1:* The *network* component of a hydrogel is usually a *polymer network*.

*Note 2:* A hydrogel in which the *network* component is a *colloidal network* may be referred to as an *aquagel*.

*Note 3:* Definition quoted from refs. [1,4].

#### 5.9.1.2 aerogel

*Gel* comprised of a microporous solid in which the *dispersed phase* is a gas [1].

*Note 1:* Microporous silica, microporous glass, and zeolites are common examples of aerogels.

*Note 2:* Corrected from ref. [4], where the definition is a repetition of the incorrect definition of a gel (see Note 3 of 5.9) followed by an inexplicit reference to the porosity of the structure.

#### 5.10 micelle

Particle of colloidal dimensions that exists in equilibrium with the molecules or ions in solution from which it is formed.

*Note:* Based on definition in ref. [4].

#### 5.10.1 hemi-micelle

Type of micelle that exists in relatively small numbers below the *critical micelle concentration*.

#### 5.10.2 ad-micelle

Surfactant bilayer formed on a charged adsorbing surface.

*Note 1:* Ad-micelles are usually formed on inorganic particles.

*Note 2:* In the case of particles with charged surfaces the surfactant molecules are oriented with their charged head-groups toward the particle surfaces. In the case of further addition of surfactant, a surface bilayer may form, which is termed an ad-micelle (adsorbed micelle).

#### 5.10.3 micellar aggregation number micellar degree of association

Number of molecules constituting a *micelle*.

#### 5.10.4 micellar charge

Combined charge of the surfactant ions and counterions tightly bound to a micelle.

*Note 1:* Micelle with tightly bound ions behaves as a unit carrying the net charge.

### 5.10.5 micellar degree of association

See *micellar aggregation number*.

### 5.10.6 micellar molecular weight

See *micellar relative molar mass*.

### 5.10.6 micellar relative molar mass micellar molecular weight

Mass of a mole of micelles divided by the molar mass constant. The relative molar mass of micelles (mic) is thus  $M_{r,mic} = M_{mic}/M_u$ .

*Note 1:* 1/12 of the molar mass of  $^{12}\text{C}$  is termed “molar mass constant” with symbol  $M_u = M(^{12}\text{C})/12 = N_A m_u$  and unit  $\text{g mol}^{-1}$  where  $m_u$  is the “atomic mass constant” with unit u or  $\text{D}_a$ , and  $N_A$  is the Avogadro constant.

*Note 2:* The micellar relative molar mass refers to a neutral *micelle* and thus includes the mass of counterions that compensate the charge of surfactant molecules in micelles.

### 5.11 vesicle

Closed structure formed by amphiphilic molecules that contains solvent (usually water).

### 5.12 particle number concentration, $C_p$ , accepted for use with SI unit: $\text{L}^{-1}$

Number of particles per volume of suspending medium.

### 5.13 solids content of a polymer dispersion

Mass fraction of nonvolatile material in a *polymer dispersion*.

#### 5.13.1 polymer content

Mass fraction of polymer in a *polymer dispersion*.

### 5.14 dispersed-phase (amount) concentration, $[A]_p$ for species A, $[M]_p$ for monomer, accepted for use with SI unit: $\text{mol L}^{-1}$ particle-phase (amount) concentration

Amount concentration of a species within the *dispersed phase*.

*Note:* If the *dispersed phase* depends on quantities such as radius,  $r$ , time,  $t$ , etc., the recommended symbols are  $[A]_p(r,t,\dots)$  and  $[M]_p(r,t,\dots)$ .

- 5.15 continuous-phase (amount) concentration**,  $[A]_{\text{cont}}$  for species A,  $[M]_{\text{cont}}$  for monomer, accepted for use with SI unit: mol L<sup>-1</sup>

Concentration of species within the *continuous phase* of a *dispersion*.

*Note 1:* If the continuous phase is water, the symbols  $[A]_{\text{w}}$  and  $[M]_{\text{w}}$  are usually used.

*Note 2:* If the continuous-phase concentration depends on quantities such as time  $t$ , etc., the recommended symbols are  $[A]_{\text{cont}}(t, \dots)$  and  $[M]_{\text{cont}}(t, \dots)$ .

- 5.16 particle-phase concentration**

See *dispersed-phase concentration*.

- 5.17 polymer mass fraction**,  $w_{\text{p}}$

Mass fraction of polymer within the *dispersed phase*.

## 6. POLYMERIZATION PROCESSES

- 6.1 emulsion polymerization**

Polymerization whereby monomer(s), initiator, dispersion medium, and possibly colloid stabilizer constitute initially an inhomogeneous system resulting in particles of colloidal dimensions containing the formed polymer.

*Note:* With the exception of *mini-emulsion polymerization*, the term “emulsion polymerization” does not mean that polymerization occurs in the droplets of a monomer emulsion.

- 6.1.1 ab initio emulsion polymerization**

*Emulsion polymerization* in which no seed particles are added.

- 6.1.2 batch emulsion polymerization**

*Emulsion polymerization* in which all the ingredients are placed in a reactor prior to reaction.

- 6.1.3 continuous emulsion polymerization**

*Emulsion polymerization* in which all the ingredients are added continuously and the product latex is removed continuously.

- 6.1.4 emulsifier-free emulsion polymerization**

*Emulsion polymerization* carried out without the addition of a colloid stabilizer.

*Note 1:* In an emulsifier-free emulsion polymerization, a colloid stabilizer is produced in situ (e.g., the polymerization of styrene initiated with potassium persulfate yields macromolecules with anionic end groups providing ionic stabilization of the colloidal polystyrene particles).

*Note 2:* Other names, such as emulsifier-less, soap-less, soap-free, surfactant-less, and surfactant-free emulsion polymerization, that are sometimes used, are not recommended.

**6.1.5 encapsulating emulsion polymerization**

*Emulsion polymerization* leading to the encapsulation of a solid within polymer particles or liquid polymer droplets.

*Note:* An encapsulating emulsion polymerization is often performed inside *ad-micelles*.

**6.1.6 inverse emulsion polymerization**

*Emulsion polymerization* in a nonaqueous medium in which the *dispersed phase* is usually an aqueous solution, initially of monomer(s), and finally of polymer.

**6.1.7 monomer-flooded emulsion polymerization**

*Semi-continuous emulsion polymerization* in which the monomer(s) is(are) fed to the reactor at a rate that exceeds the rate of polymerization.

*Note:* A monomer-flooded emulsion polymerization refers to a state where the monomer concentration in the polymer particles is at or greater than its equilibrium swelling value and therefore droplets may be formed.

**6.1.8 monomer-starved emulsion polymerization**

*Semi-continuous emulsion polymerization* in which the polymerization rate is controlled by the feed rate(s) of monomer(s), in such a way that, for most of the process, the polymerization rate equals the monomer(s) feed rate(s).

*Note:* Usually a monomer-starved emulsion polymerization refers to a state where the monomer concentration in the polymer particles is less than its equilibrium swelling value.

**6.1.9 power-feed emulsion polymerization**

*Semi-continuous emulsion copolymerization* in which the instantaneous composition of the formed copolymer is the same as that of the added monomer mixture(s).

*Note:* A power-feed emulsion polymerization is normally achieved by feeding to the reactor monomer mixture(s) from one or more reservoirs under monomer-starved conditions. In the simplest case, reservoirs I and II are initially filled with monomers A and B, respectively. During polymerization the contents of reservoir I are continuously pumped into the reactor and the contents of reservoir II are continuously pumped into reservoir I at definite rates.

**6.1.10 seeded emulsion polymerization**

*Emulsion polymerization* with seed particles (see definition 6.9) are formed in situ or added initially to the polymerizing mixture.

*Note:* Under certain conditions the seed particles capture enough radical species from the aqueous phase so that no new particles are formed. In such polymerization, the number of growing particles is equal to the number of seed particles.

**6.1.11 semi-continuous emulsion  
polymerization semi-batch emulsion  
polymerization**

*Emulsion polymerization* in which some of the ingredients are initially placed in a reactor and the remaining ingredients are added during the polymerization.

**6.1.12 vesicle polymerization**

Polymerization inside the bilayer of a *vesicle* leading to formation of polymer inside the bilayer.

*Note 1:* The bilayer may contain polymerizable and non-polymerizable molecules.

*Note 2:* Usually phase separation occurs leading to entities with inhomogeneously distributed polymer (e.g., entities that contain a latex particle inside the vesicle's bilayer).

*Note 3:* The morphology of such entities is called "parachute" morphology, owing to similarity of their shape to the shape of parachute canopy.

*Note 4:* In the case of reactive copolymerizing surfactants (i.e., surfmers; see definition 7.11.1) hollow spherical entities can sometimes be obtained with a homogeneous distribution of polymer in the bilayer.

**6.2 micro-emulsion polymerization**

*Emulsion polymerization* in which the starting system is a *micro-emulsion* and the final latex comprises colloidal particles of polymer dispersed in an aqueous medium.

*Note:* Diameters of polymer particles formed in the micro-emulsion polymerization usually are between 10 and 50 nm.

**6.2.1 inverse micro-emulsion polymerization**

*Emulsion polymerization* in which the starting system is a *micro-emulsion* and the final system is composed of an organic *continuous phase* with an aqueous polymer solution as the *dispersed phase*.

**6.3 micellar polymerization**

Polymerization of a polymerizable surfactant in solution above its *critical micelle concentration*.

*Note:* The initial micellar structure usually is not preserved during the polymerization.

**6.4 mini-emulsion polymerization**

Polymerization of a *mini-emulsion* of monomer in which all of the polymerization occurs within pre-existing monomer particles without the formation of new particles.

**6.4.1 inverse mini-emulsion polymerization**

*Emulsion polymerization* in which the starting system is a *mini-emulsion* and the final system is composed of an organic *continuous phase* with an aqueous polymer solution as the *dispersed phase*.



## 6.5 precipitation polymerization

Polymerization in which monomer(s), initiator(s) and colloid stabilizer(s) are dissolved in a solvent and this *continuous phase* that is a nonsolvent for the formed polymer beyond a critical molecular weight.

### 6.5.1 dispersion polymerization

*Precipitation polymerization* in which monomer(s), initiator(s), and colloid stabilizer(s) are dissolved in a solvent forming initially a homogeneous system that produces polymer and results in the formation of polymer particles.

*Note:* The process usually results in polymer particles of colloidal dimensions.

#### 6.5.1.1 seeded dispersion polymerization

*Dispersion polymerization* in which *seed particles* are formed in situ or added prior to initiation of the polymerization.

### 6.5.2 precipitation polycondensation

*Precipitation polymerization* proceeding by polycondensation.

*Note:* See ref. [1] for the definition of polycondensation.

#### 6.5.2.1 dispersion polycondensation

*Dispersion polymerization* proceeded by polycondensation.

*Note:* See ref. [1] for the definition of polycondensation.

### 6.5.3 precipitation polyaddition

*Precipitation polymerization* proceeding by polyaddition.

*Note:* See ref. [1] for the definition of polyaddition.

#### 6.5.3.1 dispersion polyaddition

*Dispersion polymerization* proceeding by polyaddition.

*Note:* See ref. [1] for the definition of polyaddition.

## 6.6 suspension polymerization

Polymerization in which polymer is formed in monomer, or monomer-solvent droplets in a *continuous phase* that is a nonsolvent for both the monomer and the formed polymer.

*Note 1:* In suspension polymerization, the initiator is located mainly in the monomer phase.

*Note 2:* Monomer or monomer-solvent droplets in suspension polymerization have diameters usually exceeding 10  $\mu\text{m}$ .

**6.6.1 micro-suspension polymerization**

*Suspension polymerization* in which the diameter of the monomer droplets is of the order of a few  $\mu\text{m}$ .

**7. TERMS RELATED TO POLYMERIZATION PROCESSES****7.1 average number of radicals per particle,  $\langle N \rangle$  or  $\bar{N}$** 

Ratio of the total number of radicals in particles to the number of particles.

**7.2 critical oligomer degrees of polymerization****7.2.1 critical oligomer degree of polymerization for irreversible entry,  $z_{\text{crit}}$** 

Lowest degree of polymerization of aqueous-phase *oligomer-radicals* needed for irreversible capture by colloidal particles, micelles, or both during a polymerization.

**7.2.2 critical oligomer degree of polymerization for precipitation,  $j_{\text{crit}}$** 

Lowest degree of polymerization of *oligomer-radicals* that precipitate from the *continuous phase* during a polymerization.

*Note:*  $j_{\text{crit}}$  is usually equal to the degree of polymerization at which *oligomer-radicals* undergo a coil-to-globule transition.

**7.3 intervals in emulsion polymerizations**

Periods in an *emulsion polymerization* defined by the formation of polymer particles, and the presence or absence of monomer droplets in the polymerizing mixture.

*Note:* In naming particular intervals, the word "interval" is always written with a capital I.

**7.3.1 Interval 1 in emulsion polymerization**

Period in a *batch ab initio emulsion polymerization* (see definitions 6.1.1 and 6.1.2) during which the formation of particles takes place.

**7.3.2 Interval 2 in emulsion polymerization**

Period in an *emulsion polymerization* during which no new particles are formed and monomer droplets are present.

*Note:* This interval is associated with an approximately constant value of the average number of radicals per particle, an approximately constant value of monomer concentration in the particles, and, thus, an approximately constant rate of polymerization.

**7.3.3 Interval 3 in emulsion polymerization**

Period in an *emulsion polymerization* during which no new particles are formed and no monomer droplets are present.

## 7.4 limiting rate-behaviour in emulsion polymerizations

### 7.4.1 zero-one behaviour

Limiting behaviour in an *emulsion*, *mini-emulsion*, or *micro-emulsion polymerization* during which the entry of a radical into a particle that contains a growing radical results in termination before significant propagation has occurred.

*Note 1:* This type of behaviour commonly occurs for small particles, the size of which depends on the type of monomer and on polymerization conditions.

*Note 2:* The value of the *average number of radicals per particle* ( $\bar{N}$ ) for a zero-one system can never exceed 0.5.

#### 7.4.1.1 compartmentalization behaviour

*Zero-one behaviour* wherein radicals are isolated, each being located within a different latex particle.

### 7.4.2 pseudo-bulk behaviour

Behaviour in an *emulsion*, *mini-emulsion*, *micro-emulsion*, *suspension*, or *dispersion polymerization* wherein the kinetics are such that the rate equations are the same as those for polymerization in bulk.

*Note 1:* In a pseudo-bulk system, the *average number of radicals per particle*,  $\bar{N}$ , can take any value.

*Note 2:* Common extreme cases are (i) when the value of  $\bar{N}$  is so high that each particle effectively behaves as a micro-reactor, and (ii) when the value of  $\bar{N}$  is low, exit is very rapid and the exited radical re-enters another particle, may grow to a significant degree of polymerization, and so on before any termination event.

## 7.5 oligomer radical radical of oligomeric length

*Note:* For the definition of an oligomer, see ref. [1].

## 7.6 particle nucleation

### 7.6.1 homogeneous micellization nucleation

Formation of *primary particles* as a result of micelle formation from surface-active *oligomer radicals* formed in a polymerization.

*Note:* The surface-active oligomer radicals are usually formed by polymerization with initiators providing ionic end-groups.

### 7.6.2 homogeneous nucleation

Formation of *primary particles* as a result of the coil-to-globule transition of *oligomer radicals* that have propagated to the *critical oligomer degree of polymerization for precipitation*.

### 7.6.3 micellar nucleation

Formation of *primary particles* as a result of polymerization within monomer-swollen *micelles* initiated by the capture of *primary radicals* or *oligomer-radicals*.

### 7.6.4 coagulative nucleation

A process combining nucleation by any mechanism with subsequent coagulation being a significant event in formation of colloidally stable particles.

*Note:* The term “coagulative nucleation” does not mean that nucleation is caused by coagulation.

## 7.7 phase-transfer event in a polymerizations in a dispersed system

Transport of any species (radical, monomer, chain-transfer agent, etc.) from the continuous to the discrete phase and vice-versa.

### 7.7.1 radical desorption

See *radical exit*.

### 7.7.2 radical entry

Irreversible transport of a radical from the continuous to the *dispersed phase*.

*Note:* This type of transport frequently involves a radical arising directly from initiator. An example is the sulfate radical anion  $SO_4^{\bullet-}$ , with the systematic name tetraoxidosulfate ( $\bullet 1-$ ) (where the part in parentheses is pronounced “dot one minus”), propagating with monomer in the aqueous phase until the resulting oligomeric species enters a particle irreversibly.

#### 7.7.2.1 entry frequency

See *radical entry frequency*.

#### 7.7.2.2 radical entry frequency, $f_{en}$ , SI unit: $s^{-1}$ entry frequency

Average number of entry events per particle per unit interval of time.

*Note:* The term “entry rate coefficient” is incorrect and is not recommended.

### 7.7.3 radical exit radical desorption

Reversible or irreversible transport of a radical from the dispersed to the *continuous phase*.

*Note:* This type of transport is frequently through transfer of the radical activity at the end of a macroradical within a particle to a smaller species which may then diffuse irreversibly out of the parent particle into the *continuous phase*.

**7.7.3.1 exit frequency**

See *radical exit frequency*.

**7.7.3.2 radical exit frequency,  $f_{\text{ex}}$ , SI unit:  $\text{s}^{-1}$   
exit frequency**

Average number of exit events per particle per unit interval of time per radical.

*Note:* The term “exit rate coefficient” is incorrect and is not recommended.

**7.8 primary particle**

Particle just created by a nucleation process.

**7.9 primary radical**

Radicals formed from an initiator molecule.

*Note:* “Primary radical” describes the radical before it reacts with any molecule of monomer.

**7.10 seed particle**

Particle in a *polymer colloid* that is the locus of subsequent polymerization.

*Note:* A seed particle is either added to a polymerization mixture before the polymerization begins, or is formed in situ.

**7.11 surfactant related species****7.11.1 surfmer**

Monomer with the properties of a surfactant.

*Note:* For the definition of a surfactant, see ref. [4].

**7.11.2 inisurf**

Initiator with the properties of a surfactant.

*Note:* For the definition of a surfactant, see ref. [4].

**7.11.3 transurf**

Chain-transfer agent with the properties of a surfactant.

*Note:* For the definition of a surfactant, see ref. [4].

**8. AGGREGATION AND RELATED PROCESSES****8.1 aggregation, coagulation, flocculation, and related processes****8.1.1 agglomerate (except in polymer science)**

Cluster of primary particles held together by weak physical interactions.

*Note 1:* A primary particle is the smallest discrete identifiable entity observable by a specified identification technique, e.g., transmission electron microscopy, scanning electron microscopy, etc.

*Note 2:* The particles that comprise agglomerates can be dispersed again.

*Note 3:* The definition proposed here is recommended for distinguishing agglomerate from *aggregate*.

**8.1.2 agglomerate (in polymer science)**

**aggregate (in polymer science)**

Cluster of molecules or particles that results from *agglomeration*.

*Note:* Quotation from ref. [1].

**8.1.3 agglomeration (except in polymer science)**

**coagulation (except in polymer science)**

**flocculation (except in polymer science)**

Process of contact and adhesion whereby dispersed molecules or particles are held together by weak physical interactions ultimately leading to phase separation by the formation of precipitates of larger than colloidal size.

*Note 1:* In contrast to *aggregation*, agglomeration is a reversible process.

*Note 2:* The definition proposed here is recommended for distinguishing agglomeration from *aggregation*. Also, see Note 2 of 8.1.1.

*Note 3:* Quotation from ref. [1].

**8.1.4 agglomeration (in polymer science)**

**aggregation (in polymer science)**

**coagulation (in polymer science)**

Process in which dispersed molecules or particles assemble rather than remain as isolated single molecules or particles.

*Note:* Quotation from ref. [1].

**8.1.5 aggregate (except in polymer science)**

Cluster of primary particles interconnected by chemical bonds.

*Note 1:* The particles that comprise aggregates cannot be dispersed again.

*Note 2:* Alternative definitions of aggregate and agglomerate are used in catalysis [4]. The distinction offered by these definitions is in conflict with the distinction understood in the wider context and with the concepts of aggregation and agglomeration. To avoid confusion the definitions proposed here are recommended.

**8.1.6 aggregate (in polymer science)**

See *agglomerate (in polymer science)*.

**8.1.7 aggregation (except in polymer science)**

Process whereby dispersed molecules or particles form *aggregates*.

*Note:* In contrast to *agglomeration (except in polymer science)*, aggregation is an irreversible process.

**8.1.8 aggregation (in polymer science)**

See *agglomeration (in polymer science)*.

**8.1.9 breaking of an emulsion**

Formation of a system with separate macrophases from an emulsion.

**8.1.10 coalescence**

Disappearance of the boundary between two particles in contact, or between a particle and a polymer macrophase followed by changes of shape leading to a reduction of the total surface area.

*Note 1:* Definition modified from that in ref. [4].

*Note 2:* The coagulation of an emulsion, viz. the formation of aggregates, may be followed by coalescence. If coalescence is extensive it leads to the *breaking of an emulsion*.

**8.1.11 coagulation (in polymer science)**

Irreversible formation of aggregates in which particles are in physical contact.

*Note:* Often the term is used when electrostatically stabilized colloids are destabilized by the addition of a salt.

**8.1.11.1 critical coagulation (amount) concentration,  $c_{cc}$ , accepted for use with SI unit: mol L<sup>-1</sup>**

Minimum concentration of electrolyte at and above which *rapid coagulation* occurs.

*Note 1:* Rapid coagulation occurs when the only forces between the particles are the attractive van der Waals forces, all other forces being negligible.

*Note 2:* As the value of the  $c_{cc}$  depends to some extent on the experimental circumstances (method of mixing, time between mixing and determining the state of coagulation, criterion for measuring degree of coagulation, etc.), these should be clearly stated.

**8.1.11.2 heterocoagulation**

*Coagulation* of particles of different kinds or sizes, or both.

**8.1.11.3 homocoagulation**

*Coagulation* of colloidal particles of the same size and kind.

**8.1.12 colloidal crystal**

Assembly of colloid particles with a periodic structure that conforms to symmetries familiar from molecular or atomic crystals.

*Note:* Colloidal crystals may be formed in a liquid medium or during drying of particle suspension.

**8.1.13 creaming**

Macroscopic separation of an emulsion or suspension, under the action of centrifugal or gravitational field, into an upper layer of a highly concentrated emulsion or suspension and a more dense *continuous phase*.

*Note:* Definition modified from that in ref. [4].

**8.1.13.1 cream**

Highly concentrated emulsion or dispersion formed by *creaming*.

*Note 1:* Definition modified from that in ref. [4].

*Note 2:* The droplets or particles in the cream may be colloidally stable, coagulated, or flocculated but they should not have coalesced.

**8.1.14 fast coagulation rate  
rapid coagulation rate**

Rate of coagulation in the absence of any repulsive barrier between particles.

*Note:* The fast coagulation rate is usually measured by adding electrolyte at an increasing concentration, until the observed coagulation rate becomes independent of the electrolyte concentration.

**8.1.14.1 fast coagulation rate coefficient,  $k_{\text{fast}}$ , accepted for use with SI unit:  $\text{L mol}^{-1} \text{s}^{-1}$** 

Rate coefficient for fast coagulation.

**8.1.14.2 rapid coagulation rate**

See *fast coagulation rate*.

**8.1.15 flocculation (in polymer science)**

Reversible formation of *aggregates* in which the particles are not in physical contact.

**8.1.15.1 floc**

*Aggregate* formed by *flocculation*.

**8.1.15.2 flocculation rate coefficient,  $k_{\text{floc}}$ , accepted for use with SI unit:  $\text{L mol}^{-1} \text{s}^{-1}$** 

Rate coefficient for *flocculation*.



**8.1.16 micellization**

Process in which surface-active molecules or ions *aggregate* into *micelles*.

**8.1.16.1 critical micelle concentration,  $C_{mc}$ ,** accepted for use with SI unit:  $L\ mol^{-1}\ s^{-1}$ 

The concentration of surface-active molecules at which micelles start to form in a solution.

*Note:* The above definition is based on explanation given in ref. [4]. "There is a relatively small range of concentrations separating the limit below which virtually no micelles are detected and the limit above which virtually all additional surfactant forms micelles. Many properties of surfactant solutions, if plotted against the concentration, appear to change at a different rate above and below this range. By extrapolating the loci of such a property above and below this range until they intersect, a value may be obtained known as the cmc. As values obtained using different properties are not quite identical, the method by which the cmc is determined should be clearly stated."

**8.1.17 orthokinetic coagulation**

*Coagulation* due to collisions of particles induced by hydrodynamic motion.

*Note:* Orthokinetic coagulation occurs when shear-induced collisions dominate over collisions due to Brownian motion.

**8.1.18 particle monolayer**

Monolayer of particles deposited at an interface.

*Note 1:* For the definition of *monolayer* see ref. [4].

*Note 2:* A monolayer of regularly deposited particles is called a two-dimensional *colloidal crystal*.

**8.1.19 perikinetic coagulation**

*Coagulation* due to collisions of particles caused by their Brownian motion.

*Note:* Perikinetic coagulation occurs in the absence of mixing or under conditions where shear-induced collisions are negligible compared to diffusion-induced collisions.

**8.1.20 slow coagulation rate**

Rate of coagulation in presence of repulsive barriers between particles.

**8.1.20.1 slow coagulation rate coefficient,  $k_{slow}$ ,** accepted for use with SI unit:  $L\ mol^{-1}\ s^{-1}$ 

Rate coefficient for slow coagulation.

**8.1.21 stability ratio or Fuchs stability ratio,  $W$** 

Ratio  $W = k_{fast}/k_{slow}$  or  $W = k_{fast}/k_{floc}$ , for coagulation or flocculation, respectively, with  $k_{fast}$ ,  $k_{slow}$ , and  $k_{floc}$  measured under the same mixing (or hydrodynamic) conditions.

*Note:* When comparing  $W$  with theory, the fast coagulation rates are often approximated by the Smoluchowski rates of coagulation (for the Smoluchowski kinetic equation of coagulation, see ref. [5]).

## 8.2 colloidally stable system

System in which the particles essentially do not aggregate or sediment.

*Note:* The definition is based on the definition of colloidally stable given in ref. [4].

### 8.2.1 electrostatic stabilization

Stabilization of a colloid resulting from the mutual repulsion of the electrical double layers surrounding its particles.

### 8.2.2 electrosteric stabilization

Stabilization of a colloid that has both *steric* and *electrostatic stabilization* characteristics.

### 8.2.3 steric stabilization

Stabilization of a colloid resulting from covering particles with a layer of molecules solvated by the continuous medium.

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**APPENDIX A: ALPHABETICAL LIST OF TERMS AND GROUPS OF TERMS**

ab initio emulsion polymerization	6.1.1	dispersion	5.4
ad-micelle	5.10.2	dispersion medium	5.3
aerogel	5.9.1.2	dispersion polyaddition	6.5.3.1
agglomerate (except in polymer science)	8.1.1	dispersion polycondensation	6.5.2.1
agglomerate (in polymer science)	8.1.2	dispersion polymerization	6.5.1
agglomeration (except in polymer science)	8.1.3	electrostatic stabilization	8.2.1
agglomeration (in polymer science)	8.1.4	electrosteric stabilization	8.2.2
aggregate (except in polymer science)	8.1.5	emulsifier-free emulsion	6.1.4
aggregate (in polymer science)	8.1.6	polymerization	5.8
aggregation (except in polymer science)	8.1.7	emulsion	6.1
aggregation (in polymer science)	8.1.8	emulsion polymerization	6.1.5
artificial latex	2.7.1	encapsulating emulsion	6.1.5
average number of radicals per particle	7.1	polymerization	7.7.2.1
average particle diameters and particle-diameter dispersity	3.2	entry frequency	3.1
batch emulsion polymerization	6.1.2	equivalent diameter of non-spherical particle	7.7.3.1
breaking of emulsion	8.1.9	exit frequency	8.1.14
coagulative nucleation	7.6.4	fast coagulation rate	8.1.14.1
coagulation (except in polymer science)	8.1.3	fast coagulation rate coefficient	8.1.15.1
coagulation (in polymer science)	8.1.4	floc	8.1.3
coalescence	8.1.10	flocculation (in polymer science)	8.1.15.2
colloid	5.5	flocculation rate coefficient	5.9
colloidal	5.5.1	gel	2.5.1
colloid stabilizer	5.5.2	gel microparticle	2.5.2
colloidal crystal	8.1.19	gel nanoparticle	5.10.1
colloidal suspension	5.7.1	hemi-micelle	4.3.5
colloidally stable system	8.2	hemisphere morphology	8.1.11.2
compartmentalization behaviour	7.4.1.1	heterocoagulation	8.1.11.3
composite particle	4.2	homocoagulation	7.6.1
continuous emulsion polymerization	6.1.3	homogeneous micellization nucleation	7.6.2
continuous phase	5.2	homogeneous nucleation	4.2
continuous-phase concentration	5.15	homogeneous particle	2.7.4
core-shell particle	4.3.1	hybrid latex	5.9.1.1
cream	8.1.13.1	hydrogel	7.11.1
creaming	8.1.13	inifurf	7.3.1
critical coagulation concentration	8.1.11.1	Interval 1	7.3.2
critical oligomer degree of polymerization for irreversible entry	7.2.1	Interval 2	7.3.3
critical oligomer degree of polymerization for precipitation	7.2.2	Interval 3	7.3
critical micelle concentration	8.1.16.1	intervals in emulsion polymerizations	6.1.6
dispersed phase	5.1	inverse emulsion polymerization	6.2.1
dispersed-phase concentration	5.14	inverse micro-emulsion polymerization	6.4.1
		inverse mini-emulsion polymerization	2.7.6
		inverse latex	4.3.2
		inverted core-shell particle	2.7
		latex	2.7.2
		latex particle	5.8.2
		macro-emulsion	

macroporous particle	4.4	polymer gel particle	2.5
mass-average particle diameter	3.2.3	polymer mass fraction	5.17
mesoporous particle	4.5	polymer microcapsule	2.3.2
micellar aggregation number	5.10.3	polymer microparticle	2.3
micellar charge	5.10.4	polymer microsphere	2.3.1
micellar degree of association	5.10.5	polymer nanocapsule	2.4.2
micellar molecular weight	5.10.6	polymer nanoparticle	2.4
micellar nucleation	7.6.3	polymer nanosphere	2.4.1
micellar polymerization	6.3	polymer network particle	2.6
micellar relative molar mass	5.10.7	polymer particle	2.1
micelle	5.10	power-feed emulsion polymerization	6.1.9
micellization	8.1.16	precipitation polyaddition	6.5.3
microcapsule	4.3.1.1	precipitation polycondensation	6.5.2
microdomain morphology	4.3.4	precipitation polymerization	6.5
micro-emulsion	5.8.4	primary particle	7.8
micro-emulsion polymerization	6.2	primary radical	7.9
microgel	2.5.3	pseudo-bulk behaviour	7.4.2
microporous particle	4.6	radical desorption	7.7.1
micro-suspension polymerization	6.6.1	radical entry	7.7.2
mini-emulsion	5.8.3	radical entry frequency	7.7.2.2
mini-emulsion polymerization	6.4	radical exit	7.7.3
monomer-flooded emulsion	6.1.7	radical exit frequency	7.7.3.2
polymerization		rapid coagulation rate	8.1.14.2
monomer-starved emulsion	6.1.8	seeded dispersion polymerization	6.5.1.1
polymerization		seeded emulsion polymerization	6.1.6
multicomponent particle	4.3	seed particle	7.10
multilayered particle	4.3.3	semi-batch emulsion polymerization	6.1.2
nanocapsule	4.3.1.2	semi-continuous emulsion	6.1.11
nanogel	2.5.4	polymerization	
natural latex	2.7.5	slow coagulation rate	8.1.20
non-aqueous dispersion	5.4.1	slow coagulation rate coefficient	8.1.20.1
number-average particle diameter	3.2.1	solids content of a polymer dispersion	5.13
occluded particle	4.3.4	stability ratio	8.1.21
oligomer-radical	7.5	steric stabilization	8.2.3
orthokinetic coagulation	8.1.17	structured particle	4.7
parachute morphology	6.1.12	surface-average particle diameter	3.2.2
partially engulfed particle	4.3.5	surfmmer	7.11.1
particle-diameter dispersity	3.2.6	suspension	5.7
particle monolayer	8.1.18	suspension polymerization	6.6
particle number concentration	5.12	synthetic latex	2.7.3
particle-phase concentration	5.16	transurf	7.11.3
perikinetic coagulation	8.1.19	vesicle	5.11
phase-transfer events in	7.7	vesicle polymerization	6.1.12
polymerization in dispersed system		volume-average particle diameter	3.2.5
polymer bead	2.2	water/oil emulsion	5.8
polymer colloid	5.6	z-average particle diameter	3.2.4
polymer content	5.13.1	zero-one behaviour	7.4.1
polymer dispersion	5.4.2		
polymer emulsion	5.8.1		
polymer gel	5.9.1		

## APPENDIX B: LIST OF RECOMMENDED SYMBOLS AND ABBREVIATIONS

$[A]_{\text{cont}}, [A]_{\text{cont}}(t, \dots)$	continuous-phase (amount) concentration for species A	5.15
$[A]_p, [A]_p(r, t, \dots)$	dispersed-phase (amount) concentration for species A, particle-phase (amount) concentration for species A	5.14
$[A]_w$	(amount) concentration of species A in water	5.15
$c_{\text{cc}}$	critical coagulation (amount) concentration	8.1.11.1
$c_{\text{mc}}$	critical micelle (amount) concentration	8.1.16.1
$\langle d_N \rangle, d_N$	number average particle diameter	3.2.1
$D_d, \langle d_m \rangle / \langle d_N \rangle, d_m / d_N$	particle-diameter dispersity	3.2.6
$\langle d_s \rangle, d_s$	surface average particle diameter	3.2.2
$\langle d_v \rangle, d_v$	volume average particle diameter	3.2.5
$\langle d_m \rangle, d_m$	mass average particle diameter	3.2.3
$\langle d_z \rangle, d_z$	z-average particle diameter	3.2.4
$f_{\text{en}}$	radical entry frequency, entry frequency	7.7.2.2
$f_{\text{ex}}$	radical exit frequency, exit frequency	7.7.3.2
$j_{\text{crit}}$	critical oligomer degree of polymerization for precipitation	7.5.2
$k_{\text{fast}}$	fast coagulation rate coefficient	8.1.14.1
$k_{\text{floc}}$	flocculation rate coefficient	8.1.15.2
$k_{\text{slow}}$	slow coagulation rate coefficient	8.1.20.1
$[M]_{\text{cont}}, [M(t, \dots)]_{\text{cont}}$	continuous-phase (amount) concentration for monomer	5.15
$[M]_p, [M(r, t, \dots)]_p$	dispersed-phase (amount) concentration for monomer, particle-phase (amount) concentration for monomer	5.14
$[M]_w$	monomer (amount) concentration in water	5.15
$\langle N \rangle, N$	average number of radicals per particle	7.1
$C_p$	particle number concentration	5.12
$o/w$	oil/water	5.8
$W$	stability ratio	8.1.21
$w/o$	water/oil	5.8
$w_p$	polymer mass fraction	5.17
$z_{\text{crit}}$	critical oligomer degree of polymerization for irreversible entry	7.2.1

**NOTE ADDED IN PROOF**

Before this article was ready for printing we found the following errors:

**3.2 average particle diameters and particle-diameter dispersity**

Replace Note 7 with:

*Note 7:* The term “particle-diameter dispersity” and the symbol  $D_d$  are an extension of the terms molar-mass dispersity ( $D_M$ ) and degree-of-polymerization dispersity ( $D_X$ ), where  $D_M = M_w/M_n$  and  $D_X = X_w/X_n$  [2].

**4.3.5 partially engulfed particle**

Figure 1 has been revised. “particle (7.9.)” has been changed to “particle (7.10)” and “polymerization (6.1.9.)” has been changed to “polymerization (6.1.10.)”

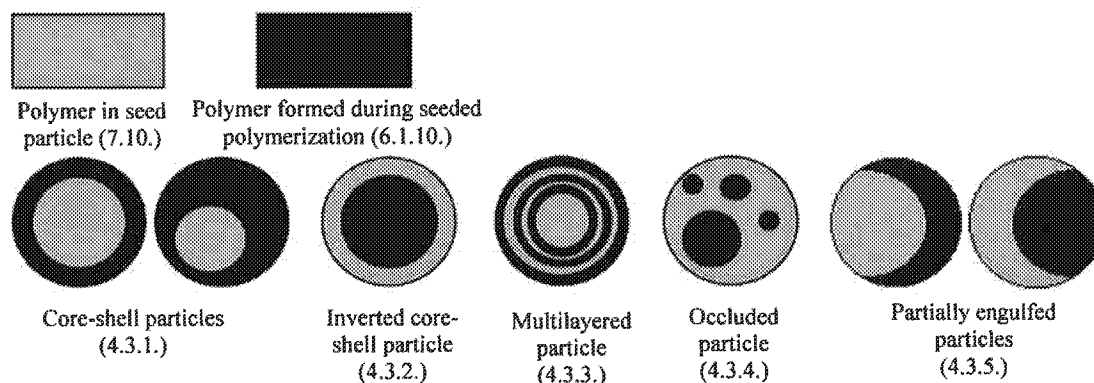


Fig. 1 Examples of two-phase particle morphology.

**8.1.16.1 critical micelle concentration,  $c_{mc}$ ,** accepted for use with SI unit:  $L mol^{-1} s^{-1}$  (“ $C_{mc}$ ” has been changed to “ $c_{mc}$ ”).

**APPENDIX B: LIST OF RECOMMENDED SYMBOLS AND ABBREVIATIONS**

$j_{crit}$	critical oligomer degree of polymerization for precipitation	7.2.2
(“7.5.2” should be “7.2.2”)		
$W$	stability ratio or Fuchs stability ratio	8.1.21
(added “or Fuchs stability ratio”)		

Message

---

**From:** Gary Van Sickle [gary@specialtycrops.org]  
**Sent:** 6/22/2017 6:09:24 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: CA Specialty Crops Council's Annual Outreach Tour Aug 7-11

Hi Nancy,

Got it.

Thanks,  
Gary

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Thursday, June 22, 2017 10:58 AM  
**To:** Gary Van Sickle <gary@specialtycrops.org>  
**Subject:** RE: CA Specialty Crops Council's Annual Outreach Tour Aug 7-11

Please see attached.  
Many thanks!  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: **Ex. 6**  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Gary Van Sickle [mailto:gary@specialtycrops.org]  
**Sent:** Wednesday, June 21, 2017 7:07 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>; Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>; Hook, James <Hook.James@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Mannix, Marianne <Mannix.Marianne@epa.gov>; Yozzo, Krystle <yozzo.krystle@epa.gov>  
**Cc:** Hogue, Joe <Hogue.Joe@epa.gov>  
**Subject:** CA Specialty Crops Council's Annual Outreach Tour Aug 7-11

Greetings:

We are a little over 6 weeks away from our tour kick-off/orientation dinner. We are pleased that all of you will be joining us in early August for our annual outreach tour. We have great visits lined up so you can learn more about agriculture in California.

Attached is a liability release form that I need each of you to complete and return to me. Please try to get the form back to me by June 30. In regards to dietary needs/restrictions, please indicate if you are vegetarian, so we can have alternative meals for you.

The following commodity groups compose the California Specialty Crops Council and are the hosts for this annual tour: CA Cherry Board, CA Dried Plum Board, CA Fresh Carrot Advisory Board, CA Garlic and Onion



Research Advisory Board, CA Leafy Greens Research Program, CA Melon Research Board, CA Pear Advisory Board, CA Pepper Commission and the CA State Beekeepers Association.

If you have any questions regarding the tour please contact me.

Regards,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council  
31831 Road 132  
Visalia, CA 93292  
Phone: Ex. 6  
Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
Website: <http://specialtycrops.org>

Message

---

**From:** Ethan Mathews [Mathews@ncga.com]  
**Sent:** 7/19/2017 8:54:47 PM  
**To:** Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]  
**Subject:** RE: PPC meeting

Thanks for letting me know. I spoke with Preston this afternoon and we are good to go!

Ethan Mathews  
Director of Public Policy  
National Corn Growers Association  
20 F ST NW, Suite 600  
Washington, DC 20001  
[mathews@ncga.com](mailto:mathews@ncga.com)

**Ex. 6**

(m)  
(o)

---

**From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]  
**Sent:** Wednesday, July 19, 2017 4:28 PM  
**To:** Ethan Mathews <Mathews@ncga.com>  
**Cc:** Beck, Nancy <Beck.Nancy@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>  
**Subject:** Re: PPC meeting

Hey there. I will not be there as I'm in AR tomorrow now, but Nancy and Preston will attend (cc'd).

Sent from my iPhone

On Jul 19, 2017, at 8:42 AM, Ethan Mathews <[Mathews@ncga.com](mailto:Mathews@ncga.com)> wrote:

Tate –

If you have a few minutes today I'd like to chat with you about the PPC meeting tomorrow. Let me know when/if you are available.

Ethan Mathews  
Director of Public Policy  
National Corn Growers Association  
20 F ST NW, Suite 600  
Washington, DC 20001  
[mathews@ncga.com](mailto:mathews@ncga.com)

**Ex. 6**

(m)  
(o)

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Message

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**From:** Joe O'Donnell [joe@iwpawood.org]  
**Sent:** 7/10/2017 6:26:06 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Cindy Squires [cindy@iwpawood.org]; Mottley, Tanya [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33a000296a364b0dad31fb9aaa34605d-Mottley, Tanya]  
**Subject:** Re: letter of invitation - IWPA Board and Member Meeting

Thank you for this, Nancy. We will be in touch as we get closer to the event to see what makes the most sense.

Looking forward to it!

Sincerely,  
Joe

On Jul 10, 2017, at 2:08 PM, Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)> wrote:

Joe,  
Thank you for the invitation. I'm leery about overcommitting myself to too many events in September as we will likely be very busy with the budget. However, if I'm unable to join I'm sure we can get someone more informed that is working on the formaldehyde rules to join you.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]  
**Sent:** Wednesday, July 5, 2017 3:43 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>  
**Subject:** letter of invitation - IWPA Board and Member Meeting

Nancy, please find attached a letter from Cindy Squires inviting you to participate in an issue briefing we will be holding as part of IWPA's Board and Member Meeting on Tuesday, September 12<sup>th</sup>.

Let us know if you have any questions. We hope you are able to join us!

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association

4214 King Street  
Alexandria, VA 22302

**Ex. 6**

Fax: (703) 820-8550

Message

---

**From:** Dimitri.Karakitsos@hklaw.com [Dimitri.Karakitsos@hklaw.com]  
**Sent:** 6/16/2017 9:06:00 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** One last email

Another note that was just sent my way that I think is relevant

It may also be helpful to note that the label on the original boxes is not an arbitrary sampling of phrases from the EPA Master Label; it is the label from the regular size (40 oz.) antibacterial formula. The enclosed bottle is an 8 oz trial size of the same product.

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

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Message

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**From:** Dimitri.Karakitsos@hklaw.com [Dimitri.Karakitsos@hklaw.com]  
**Sent:** 6/16/2017 8:46:28 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** FW: FYI for call today

FYI this is what I sent over to Byron today. I believe this is the language the regional folks are interpreting to mean the labels have to be identical.

**(4)Placement of Label -**

**(i)General.** The label shall appear on or be securely attached to the immediate container of the pesticide product. For purposes of this section, and the misbranding provisions of the Act, "securely attached" shall mean that a label can reasonably be expected to remain affixed during the foreseeable conditions and period of use. If the immediate container is enclosed within a wrapper or outside container through which the label cannot be clearly read, the label must also be securely attached to such outside wrapper or container, if it is a part of the package as customarily distributed or sold.

**Dimitrios Karakitsos | Holland & Knight**

Partner

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**From:** Karakitsos, Dimitrios J (WAS - X75132)

**Sent:** Friday, June 16, 2017 11:07 AM

**To:** 'Brown, Byron' <brown.byron@epa.gov>; 'traylor.patrick@epa.gov' <traylor.patrick@epa.gov>

**Subject:** FYI for call today

Gentlemen,

Happy Friday and appreciate you all making some time for us this afternoon. Just wanted to give you both a heads up on what Bissel is thinking after having a lot of internal discussions. Look forward to the discussion and please let me know if I can be of help with anything.

Thanks!

1. Beyond Adding a Second EPA Establishment Number, the Products are Not Misbranded  
Region 10 has interpreted 40 CFR 156.10(a)(4) to require that the labels on interior bottle and exterior box be an exact match; that interpretation is not supported by the FIFRA statute or regulations.

2. EPA HQ has Enforcement Discretion and, if necessary, can issue a No Action Assurance letter applicable to defined products and lots not specific to BISSELL (particularly where there is no risk to human health or the environment).

Discussion of Point 1: Beyond the addition of a second EPA establishment number (to reflect that the antibacterial cleaning solution, which was manufactured in Grand Rapids, was placed into a box in China), BISSELL contends that the products are not misbranded.

Region 9 cites 40 CFR 156.10(a)(4) as the basis for its misbranding allegation. 40 CFR 156.10(a)(4) requires that a pesticide label be securely attached to the outside of a box or package when the label on the immediate pesticide product container cannot be read through the box; it does not say that the pesticide label on the exterior of the box must be an exact match to the label on the pesticide bottle within. 40 C.F.R. 156.10(a), reproduced below, describes the elements that must be on a pesticide label. BISSELL maintains that the label on the exterior of the box meets all of the required elements of 40 CFR 156.10(a) and consists of language that is approved on the EPA Master Label for the product. Accordingly, the products (once the second EPA establishment number is added) are not misbranded.

**40 CFR 156.10(a)**

**(1) Contents of the label.** Every pesticide product shall bear a label containing the information specified by the Act and the regulations in this part. The contents of a label must show clearly and prominently the following:

- (i) The name, brand, or trademark under which the product is sold as prescribed in paragraph (b) of this section;
- (ii) The name and address of the producer, registrant, or person for whom produced as prescribed in paragraph (c) of this section;
- (iii) The net contents as prescribed in paragraph (d) of this section;
- (iv) The product registration number as prescribed in paragraph (e) of this section;
- (v) The producing establishment number as prescribed in paragraph (f) of this section;
- (vi) An ingredient statement as prescribed in paragraph (g) of this section;
- (vii) Hazard and precautionary statements as prescribed in subpart D of this part for human and domestic animal hazards and subpart E of this part for environmental hazards.
- (viii) The directions for use as prescribed in paragraph (i) of this section; and
- (ix) The use classification(s) as prescribed in paragraph (j) of this section.

Discussion of Point 2: If necessary, EPA HQ has enforcement discretion and may issue a “No Action Assurance” letter, identifying the particular product and lot number information for the covered products. BISSELL would add an additional EPA establishment number to any boxes requiring it, but BISSELL would be able to sell and distribute products in the defined set without other relabeling. The no action assurance letter could be drafted to apply to the specific products and lots at issue rather than to BISSELL itself, thereby applying to the product rather than a particular party.

In response to possible state enforcement concerns, BISSELL’s believes this is just a theoretical risk and one for which BISSELL will bear the cost of any consequence to its customers under its indemnity agreements with its customers. A no action assurance letter from EPA related to federal enforcement under FIFRA has no bearing on state enforcement of state law and Bissell believes EPA should take action based on federal laws within their prevue rather than possible concerns with state laws.

**Dimitrios Karakitsos | Holland & Knight**  
Partner



Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

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Message

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**From:** Dimitri.Karakitsos@hklaw.com [Dimitri.Karakitsos@hklaw.com]  
**Sent:** 6/16/2017 8:33:46 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: Just tried you

I'm free whenever you are

**Dimitrios Karakitsos | Holland & Knight**

Partner

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800 17th Street N.W., Suite 1100 | Washington, DC 20006

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**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Friday, June 16, 2017 3:25 PM  
**To:** Karakitsos, Dimitrios J (WAS - X75132) <Dimitri.Karakitsos@hklaw.com>  
**Subject:** Re: Just tried you

Sorry in meetings. Chatting at 4:30 will work.

---

Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator, OCSP

P: 202-564-1273

**Ex. 6**

Beck.Nancy@epa.gov

On Jun 16, 2017, at 3:22 PM, "Dimitri.Karakitsos@hklaw.com" <Dimitri.Karakitsos@hklaw.com> wrote:

Wanted to circle back today if possible with you. I have a call with Byron and others starting at 3:30 and that might tie me up until 4:30 or so but if you have a second before 3:30 or if there is another good time for me to call just let me know.

Thanks

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

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Message

---

**From:** Joe O'Donnell [joe@iwpawood.org]  
**Sent:** 6/23/2017 3:44:32 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule  
**Attachments:** IWPA Comments to EPA re Formaldehyde Rule Effective Date DFR 6 8 2017.pdf; IWPA - Joint Comments on Evaluation of Existing Regulations - EPA Import Certification - FINAL.pdf; IWPA - Joint Document on Regulatory Improvement.pdf

That's perfect, Nancy. Let's do a call at 1:00pm. Betsy Natz from KCMA was also interested in joining so I suggest we do a conference call using our system. I know you all already have the docs we've submitted but I've attached them so you have them at hand during the call.

We'll keep it quick.

Conference Call Dial In Codes

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Friday, June 23, 2017 11:37 AM  
**To:** Joe O'Donnell <joe@iwpawood.org>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Sounds good. I have a call at 1:30 but 1pm will work. Shall we do this by phone?

Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

Ex. 6

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]  
**Sent:** Friday, June 23, 2017 9:50 AM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Nancy, how about 12:30 or 1:00pm? You pick.

We'll make it very brief we just want to let you know where we are on the outstanding issues.

Sincerely,  
Joe

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Thursday, June 22, 2017 1:47 PM  
**To:** Joe O'Donnell <joe@iwpawood.org>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
We could find a 30 minute tomorrow between 11-2 or after 3:30.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]  
**Sent:** Monday, June 19, 2017 11:38 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

If this Friday doesn't end up working (maybe let us know if your travel is cancelled), could you do Monday the 26<sup>th</sup> or Friday the 30<sup>th</sup>, preferably in the morning?

Thanks!  
Joe

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**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]  
**Sent:** Thursday, June 15, 2017 7:00 PM  
**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
I may be travelling Friday but likely won't know til next Tuesday.  
How's about the week of the 27<sup>th</sup>? Or if it's easier after July 4<sup>th</sup>?

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Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

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**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]  
**Sent:** Wednesday, June 14, 2017 3:49 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Unfortunately Betsy from KCMA has a meeting back in Reston late Friday so she can't do later Friday afternoon.

How about next Friday, June 23<sup>rd</sup> at 11:00am or Noon?

Best,  
Joe

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**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]  
**Sent:** Tuesday, June 13, 2017 6:30 PM  
**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
I have a conflict at 1pm. Do you have a window between 2-4pm?

Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

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**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]  
**Sent:** Tuesday, June 13, 2017 1:50 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Thanks, Nancy. Could you do this Friday at 1pm?

Sincerely,  
Joe

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**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]  
**Sent:** Wednesday, June 7, 2017 11:32 AM  
**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>  
**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
We are quite distracted right now trying to get everything done to meet our June 22 TSCA deadlines. Thus the calendar is a bit crazy.  
We could try for a 30 minute meeting if that works. It seems a Friday may be best.

Regards,  
Nancy

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Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

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**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]  
**Sent:** Tuesday, June 6, 2017 3:37 PM

**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Hi Nancy, I wanted to follow up in the e-mail below. Our industry group is interested in briefing you on the outstanding issues with the formaldehyde rule and our thoughts about the best way to address them.

If tomorrow doesn't work I'm happy to work with you to find a day and time that will!

Sincerely,  
Joe

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**From:** Joe O'Donnell

**Sent:** Thursday, June 1, 2017 4:49 PM

**To:** 'Dravis, Samantha' <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Samantha and Nancy,

Our joint industry group (International Wood Products Association, Kitchen Cabinet Manufacturers Association, American Home Furnishings Alliance, National Retail Federation, Retail Industry Leaders Association, and the Recreational Vehicles Industry Association) is interested in meeting with you to discuss our priorities for regulatory reform, especially with respect to the Formaldehyde Emission Standards for Composite Wood Products regulation.

As you know, EPA has issued a direct final rule with respect to the effective date and compliance timeline issue and we understand that additional changes are expected to be released soon. A meeting would allow us to brief you on how a few other common sense reforms would ease the regulatory burden on U.S. manufacturers in our industries and free up resources for growth and job creation.

If it works for you, we suggest Wednesday, June 7<sup>th</sup> at 3:00pm.

Please don't hesitate to contact Cindy or me with any questions you have.

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, VA 22302

Ex. 6

Fax: (703) 820-8550

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**From:** Dravis, Samantha [<mailto:dravis.samantha@epa.gov>]

**Sent:** Friday, May 12, 2017 2:41 PM

**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Cleland-Hamnett, Wendy <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>; Winchester, Erik <[Winchester.Erik@epa.gov](mailto:Winchester.Erik@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Thank you.

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]

**Sent:** Friday, May 12, 2017 11:10 AM

**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Cleland-Hamnett, Wendy <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>; Winchester, Erik <[Winchester.Erik@epa.gov](mailto:Winchester.Erik@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** new joint industry submission on import declaration provisions of the formaldehyde rule

Friends, in addition to submission through Regulations.gov, we wanted to share with you a copy of the joint industry comments we prepared along with the American Home Furnishings Alliance, the Kitchen Cabinet Manufacturers Association, the Recreational Vehicle Industry Association, and the Retail Industry Leaders Association expressing our concerns about the import declaration provision of the Formaldehyde Emission Standards for Composite Wood Products regulation.

For reference I have also included the broader document that outlines our shared concerns about additional aspects of the regulation as well as a letter we had previously sent to Administrator Pruitt concerning the effective date and compliance timeline issue.

If you have questions about any of these matters please do not hesitate to reach out to Cindy or me.

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager of Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, Virginia 22302

Ex. 6

Fax: (703) 820-8550





Kitchen Cabinet  
Manufacturers Association™



May 12, 2017

By Submission to the Rulemaking Portal

Document Control Office (7407M)  
Office of Pollution Prevention and Toxics (OPPT)  
Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington, DC 20460-0001  
Attention: Docket No. EPA-HQ-OA-2017-0190

**Re: Evaluation of Existing Regulations: Formaldehyde in Composite Wood Products Rule, 40 C.F.R. § 770.30(d)**

Dear Sir or Madam:

Thank you for this opportunity to provide comments with respect to EPA's consideration of regulations that may be appropriate for repeal, replacement, or modification in accordance with Executive Order 13777, "Enforcing the Regulatory Reform Agenda" (Docket ID No. EPA-HQ-OA-2017-0190). These comments address a provision of the Formaldehyde Emissions Standards for Composite Wood Products, 40 C.F.R. Part 770, adopted under Title VI of the Toxic Substances Control Act (TSCA). These standards were published at 81 Fed. Reg. 89674 (Dec. 12, 2016). They are scheduled to take effect on May 22, 2017, following the expiration of the current regulatory freeze. One issue of particular concern is that relating to import certification, 40 C.F.R. § 770.30(d).

We at the American Home Furnishings Alliance, the Kitchen Cabinet Manufacturers Association, the International Wood Products Association, the Recreational Vehicle Industry Association, and the Retail Industry Leaders Association urge EPA to eliminate the import certification provision of the formaldehyde rule, 40 C.F.R. § 770.30(d). This unnecessary new provision will severely disrupt the supply chain for U.S. businesses manufacturing and selling products that include composite wood products such as furniture, cabinetry, wood flooring, recreational vehicles and many others consumer goods. If this provision is allowed to go into effect in its current form, it will lead to higher prices for U.S. consumers and the loss of potentially thousands of good paying American jobs in the industries we represent.

**A. Import Certification Is Not “Necessary” For Compliance and Adds Little Value Beyond the Other Requirements in the Proposed Rule**

Especially in light of the burdens described below, EPA should not impose requirements that are not necessary for compliance. TSCA section 13 import certification is clearly not necessary for compliance with EPA’s formaldehyde rule.

TSCA Title VI provides that EPA, “in coordination with the Commissioner of Customs and Border Protection [CBP] and other appropriate Federal departments and agencies, shall revise regulations promulgated pursuant to section 13 as [EPA] determines to be *necessary to ensure compliance* with this section [i.e., with TSCA Title VI].” (Emphasis added).

EPA should give due weight to Congress’s use of the term “necessary,” as courts reviewing EPA rules and decisions have consistently given due attention to the use of the term “necessary” in such regulation-enabling statutory language. See, e.g., *Luminant Generation Co., LLC v. EPA*, 675 F.3d 917, 930 (5th Cir. 2012) (holding that because a requirement imposed by EPA was neither necessary to assure compliance under the statute nor warranted by any other applicable provision, “we must conclude that the EPA’s insistence upon it here was unjustified”). Thus, any requirements that are not *necessary* to ensure compliance with the emission standards and related provisions of TSCA Title VI should not be imposed.

The testing, third-party certification, quality control, chain-of-custody, recordkeeping, and reporting requirements already imposed on importers of composite wood products and articles containing composite wood products are quite sufficient to ensure compliance with the formaldehyde emission limits, and to maintain fairness between domestic and imported products. The formaldehyde rule requires importers to assure that foreign suppliers—like domestic manufacturers—document compliance with the emission limits, including with test results, and much of this documentation could be provided to EPA upon request. The addition of import certification on top of all of these other requirements adds no new substantive check on the compliance processes and would be simply duplicative of information otherwise reasonably accessible to EPA.

EPA did not offer a justification for the import certification in the preamble to the final rule. In the proposed rule, it asserted that import certification was necessary as a potential “reminder” to importers. Importers do not need this reminder; with every single imported shipment required to meet labeling and documentation requirements, there is no justification for the conclusion that importers would need or benefit from such a reminder. The preamble to the proposed rule also referred to import certification as a “compliance monitoring tool.” While such a tool is indeed useful for importers of bulk chemicals and mixtures that are not independently subject to other compliance monitoring, it is unnecessary for importers of composite wood products who, along with third-party certifiers of composite wood products, will already be engaged in significant compliance monitoring and reporting for all of their imports of those products. EPA has not, in the preamble to the rule, the Information Collection Request (ICR), or elsewhere, justified that import certification is necessary here to ensure compliance.

**B. EPA Has Never Before Applied Import Certification Requirements to Articles and Should Not Make Such a Major Change to Well Established Policy Without More Analysis**

EPA has long recognized the impracticality of imposing TSCA import certifications on importers of articles, and it should continue that policy. Even in other rules and proposals targeting chemicals in articles under TSCA, EPA has not deemed it “necessary” to impose import certification requirements.

The CBP import certification regulations exempt “articles” from import certification requirements unless EPA has adopted a rule requiring import certification for particular kinds of articles. See 19 C.F.R. § 12.119(c). EPA has never before required import certification for articles. The formaldehyde rule is far out of the mainstream of EPA actions in its requirement for import certification for articles.

EPA has several times considered whether to apply significant new use rules (SNURs) to SNUR chemicals in articles. It has a generic exemption for SNUR chemicals in articles, 40 C.F.R. § 721.45(f). In some cases, however, it has chosen to apply, or proposed to apply, the SNUR to SNUR chemicals in articles. In each of those cases, however, EPA has uniformly not added an import certification requirement, in contrast to the formaldehyde rule. For example, in its 2012 proposed test rule and significant new use rule (SNUR) for certain polybrominated diphenyl ethers (PBDEs), EPA proposed to eliminate the articles exemption for submission of significant new use notices (SNUNs) by importers of articles containing the PBDEs, but did not propose to eliminate the articles exemption with regard to TSCA import certification. EPA stated that it “d[id] not believe that making importers of PBDEs contained in articles subject to TSCA section 13 import certification requirements would significantly increase the effectiveness of this proposed rule” and that it was “concerned that the potential burdens associated with administration and compliance with import certification requirements could be significant.” 77 Fed. Reg. 19862, 19879 (Apr. 2, 2012).

Similar reasoning should apply here: the requirements would do little to increase the effectiveness of the proposed rule, and the potential burdens associated with administration and compliance will be significant. *See also, e.g.*, EPA, Final Significant New Use Rule for Hexabromocyclododecane and 1,2,5,6,9,10-Hexabromocyclododecane (HBCD), 80 Fed. Reg. 57293 (Sept. 23, 2015 (“At this time EPA is not requiring import certification for these chemical substances as part of articles.”); EPA, Proposed Significant New Use Rules: Perfluoroalkyl Sulfonates and Long-Chain Perfluoroalkyl Carboxylate Chemical Substances, 80 Fed. Reg. 2885 (Jan. 21, 2015) (“At this time EPA is not proposing to require import certification for these chemical substances as part of articles”); EPA, Benzidine-Based Chemical Substances; Di-n -pentyl phthalate (DnPP); and Alkanes, C[12-13], Chloro; Final Significant New Use Rules, 79 Fed. Reg. 77891 (Jan. 29, 2014) (“In this case, EPA did not propose to require section 13 import certification or section 12 export notification for the subject chemical substances when part of articles. This is consistent with EPA's past practice of making the exemption at 40 CFR 721.45(f) inapplicable without also requiring import certification or export notification for these chemical substances as part of articles (40 CFR 721.2800; 40 CFR 721.10068).”). These precedents support the conclusion that import certification for articles is not necessary to ensure compliance with TSCA rules, even when those TSCA rules do otherwise target articles.

**C. Applying the Import Certification Provisions to Vast Numbers of Companies Never Before Subject to TSCA Would Impose Onerous Burdens**

EPA has mischaracterized the burden of import certification in this case. Its ICR for the proposed import certification requirement for composite wood articles states:

In practice, import certification is fulfilled by checking a box on an invoice or entry document. It is assumed that this does not generally impose a significant additional burden or cost on the importer. Any potential burden associated with a submitter's familiarization with this requirement is assumed to be included in the more general rule familiarization burden . . . .

EPA ICR No. 2446.01 at 12.

**We disagree with EPA – the burden associated with import certification is neither negligible nor insignificant.**

Under the TSCA import certification regulations, 19 C.F.R. §§ 12.118 – 12.127, importers (or their authorized agents) must certify either that each shipment is subject to TSCA and complies with all applicable rules and orders thereunder (positive certification), or that the chemical shipment is not subject to TSCA (negative certification). Noncompliance can lead to detention of shipments as well as to penalties or other enforcement. Currently, these provisions apply generally to chemical substance imported in bulk or as part of a mixture, but apply to articles containing a chemical substance or mixture only if so required by EPA by a specific rule under TSCA. 19 C.F.R. § 12.119.

Each company would potentially have to coordinate closely with importing agents and brokers, revise forms and internal documents and submit more paperwork, adjust additional internal processes, and train personnel on how to assure that the positive or negative certifications are justified for each shipment, burdens above and beyond the rest of the already significant requirements of the proposed rule. Especially in the aggregate, given the enormous number of companies involved, the burden would be quite substantial. Moreover, in the aggregate, the burden on CBP to review a flood of new import certifications would be significant as well.

The EPA import certification provision in the formaldehyde rule is also ambiguous. The rule excludes certain kinds of composite wood products from its scope. Does that mean that importers of excluded composite wood products must submit import certifications containing a negative statement (indicating that the products are not subject to TSCA)? The lack of clarity would impose, at the least, an additional analytical burden on companies that would be subject to the requirement, including companies not subject to other requirements of the rule.

In sum, EPA is required to show that its provision extending TSCA import certification requirements to articles is necessary and non-duplicative, and it has not done so. In light of the unjustified and onerous burden such a requirement would impose on a multitude of companies, as well as on EPA and CBP, and the availability of equivalent compliance assurance and reportable information under other provisions of the proposal, EPA should eliminate the import certification requirement included in the final rule.

Sincerely,

American Home Furnishings Alliance  
Kitchen Cabinet Manufacturers Association  
International Wood Products Association  
Recreational Vehicles Industry Association  
Retail Industry Leaders Association



Regulation: Formaldehyde Emission Standards for Composite Wood Products (40 CFR Part 770, Published December 12, 2016) (81 FR 89674)

Agencies involved: Environmental Protection Agency, Customs and Border Protection

We at the American Home Furnishings Alliance, the Kitchen Cabinet Manufacturers Association, the International Wood Products Associations, the Recreational Vehicle Industry Association, the National Retail Federation, and the Retail Industry Leaders Association urge the Trump Administration to substantially improve or eliminate the EPA's Formaldehyde Emissions Standards for Composite Wood Products regulation. This new regulation will severely disrupt the supply chain for U.S. businesses manufacturing and selling products that include composite wood products such as furniture, cabinetry, wood flooring, recreational vehicles and many others consumer goods. The challenges associated with complying with this misguided regulation will lead to higher prices for U.S. consumers and the loss of good paying American jobs.

Our Associations are particularly concerned about the following provisions:

**Effective Date and Compliance Timeline:** The regulation as finalized on December 12, 2016, was originally set to become effective on February 10, 2017, and there are subsequent compliance milestones explicitly stated in the regulation. This effective date was delayed by 60 days in accordance with White House Chief of Staff Reince Priebus' January 20<sup>th</sup> Memorandum for the Heads of Executive Departments and Agencies concerning Regulatory Freeze Pending Review. On March 20<sup>th</sup>, EPA delayed the effective date until May 22, 2017. This shortens the timeline for Third-Party Certifier (TPC) recognition substantially and puts tremendous pressure on EPA to process these applications quickly. We are deeply concerned that if the final rule goes into effect in its current form with this delay in the effective date - without also amending all the internal implementation dates - it will have an adverse effect on regulated industries.

If this rule goes into effect as currently proposed on May 22, 2017, EPA will have reduced the time available for TPCs, panel manufacturers, fabricators, importers, distributors and retailers to obtain compliance by the mandated date of December 12, 2017, creating a substantially increased regulatory burden. Under this rule, EPA must first recognize Product and Laboratory Accreditation Bodies, only then can a TPC apply for and be recognized by EPA. Panel manufacturers must have an EPA-recognized TPC certify its production processes and only when that task is complete can it be approved to manufacture EPA / TSCA compliant wood composite panels. Covered products must be compliant and labeled by December 12, 2017 to be sold in the U.S. In turn, fabricators, importers, distributors and retailers must wait until these steps are complete to be able to supply compliant products to the marketplace. All of this action cannot begin until the rule is in effect. We strongly urge EPA to amend the internal implementation dates so that all of the rule's mandatory dates for compliance reflect at a minimum the lead times in the original final rule.

Also under the regulation, beginning December 12, 2017, one year after the regulation's original effective date, all covered wood products must be labeled as TSCA compliant. While we initially communicated our concerns about this tight one-year timeframe to EPA staff, the two delays have eliminated four months before the process can begin. We are concerned that the shrinking timeframe combined with limited staffing at EPA to process applications, finite TPC capacity, and the large number of composite wood product producers that must be visited will make it nearly impossible for U.S. businesses to bring their supply chains into compliance.

While at a minimum EPA should restore the lead times included in the original final rule, we believe a further 12 month extension is warranted. The most recent delay prohibiting Accrediting Bodies (ABs) and TPCs from submitting applications to the agency for review and approval limits fabricators, importers, and distributors from sourcing compliant platforms used to produce laminated products. These laminated products are used as component parts of finished goods, i.e. furniture, wood flooring, cabinetry, and countless other consumer goods. The most recent delay in the effective date, combined with the 3-months anticipated for the agency to issue a direct final rule, severely limits the ability of the supply chain to source compliant composite wood products and truncates the compliance by possibly 6-months. The most workable solution would be for EPA to tie the rule's compliance timeline to the final effective date published in the Federal Register following EPA's latest review of the regulation and grant a 12-month extension to allow the various compliance milestones to be met and ensure the adequate supply of certified composite wood products throughout the supply chain.

**Non-Complying Lots:** This provision, 40 C.F.R. § 770.20(f), applies to a fabricator who receives notification from a panel producer that panels it received were part of a lot that failed an emissions test. The provision arguably requires the fabricator to notify its customers to which it may have shipped finished products containing component parts made from those panels. The fabricator's notification must inform its customers that those finished products must be isolated; cannot be further distributed; and must either be recalled or treated and retested. This non-complying lots provision appears to be designed with panels and a short supply chain in mind. But it makes no sense when applied to finished goods that may or may not contain component parts from those panels, for several reasons.

First, by the time the fabricator receives the panel producer's notification, the panels almost certainly no longer exist as panels. Instead, the fabricator will almost certainly have cut up the affected panels it received into component parts, incorporated those component parts into finished goods, and shipped those finished goods. Second, the affected panels are untraceable once they are incorporated into finished goods. A fabricator does not track which panels go into which finished goods. Thus, it is infeasible to trace which customers received finished goods made from the affected panels. Third, in the fabrication process the panels are covered with veneers or other coatings. This means that it is no longer feasible to test the panels accurately for compliance with the emissions limits. Fourth, the fabricator's notification is very likely to be completely unnecessary, because by the time the customer receives its notification, the affected panels will probably have aged to the point that they now meet the emissions limits.

This dilemma for fabricators was not addressed in the proposed rule, which did not propose to require fabricators to notify their customers. Instead, it proposed to require panel producers to store panels until test results confirmed compliance. The final rule dropped that requirement, however, and instead required fabricator notifications. This means that the implications of a fabricator notification requirement were not subjected to notice and comment or even extensive consideration by EPA.

**Early Compliance with Labeling Requirement:** We respectfully request that EPA allow for the voluntary truthful labeling of compliant products prior to December 12, 2017. While at first glance it may appear that the final rule will require a rather simple change over to new *TSCA Title VI Compliant* labels, in fact the precipitate change in labeling – prohibited on December 11, 2017 and required on December 12, 2017 – would cause untold confusion in the marketplace and unnecessary burdens for panel producers, fabricators, distributors and retailers who seek to roll-out new TSCA-compliant SKUs and manage their inventories to address potential seasonal disruptions, while voluntarily and legitimately complying with the new regulation *prior to* the effective date.

There is no statutory requirement for the regulation's early labeling prohibition. The statute directs EPA to promulgate regulations regarding labeling, but addresses timing of the labeling in the following language:

*(B) IMPLEMENTING REGULATIONS – the regulations promulgated under this subsection shall – (II) not require any labeling or testing of composite wood products or finished goods containing regulated composite wood products manufactured before the designated date of manufacturer.*

The statutory language is very logical. Regulated entities should not be required to label before the underlying regulations take effect. However, the statutory prohibition on the EPA not requiring such labeling has morphed into a regulatory prohibition on manufacturers from labeling. This was not contemplated by the Congress and is not supported by a close reading of the Statute.

**Import Certification:** This regulation marks the first time EPA has applied the import certification requirements of TSCA to “articles.”<sup>i</sup> Until now articles containing regulated chemicals have generally been exempt from TSCA. This unprecedented shift results in costly double regulation for composite wood product imports, which are already subject to the formaldehyde emission standards and the associated, labeling, testing, Third Party Certification, chain-of-custody, recordkeeping, and reporting requirements. This additional burden is unnecessary and provides no added public safety benefit.

When this regulation was being developed, EPA’s weak justification was that import certifications are a potential “reminder” to importers. With every single imported shipment already required to meet labeling and documentation requirements, there is *no* justification for the conclusion that importers need such a reminder.

EPA also refers to import certification as a “compliance monitoring tool” -- this negates the fact that typically this tool is only used for bulk chemicals and mixtures of toxic chemicals that are *not* independently subject to other compliance monitoring. In contrast, composite wood products are engaged in significant compliance monitoring, Third Party Certification, labeling and reporting. In addition, EPA has never before applied import certification requirements to articles and should not have made such a major change to this well-established policy without a dedicated review.

Under this regulation, importers (or their authorized agents) must certify either that each shipment is subject to TSCA and complies with all applicable rules and orders thereunder (positive certification), or that the chemical shipment is not subject to TSCA (negative certification). This statement must be on or attached to a commercial invoice or entry document belonging to the imported shipment. This requires costly coordination with importing agents and brokers, revision of international forms and documents, the submission of additional paperwork, adjustments to internal processes, and training – all on top of the already substantial requirements of the broader Formaldehyde Emission Standards for Composite Wood Products regulation. In addition, CBP is now required to review a flood of new import certifications. For those products exempted under the rule it is not clear if they would also be forced to do a negative certification. That additional requirement could snare scores of companies otherwise exempted from the rule. Such a result will only lead to more confusion, unnecessary paperwork, and costly analysis for each entry.

**Laminated Products Exemption:** EPA disregarded their legislative mandate to evaluate laminated products by ignoring available and published data suggesting that finished furniture dramatically reduces the emission profile of laminated products used as component parts of finished goods. In the final rule, EPA gave no credit or recognition to the value added process of finished furniture. It should be noted that EPA has discretion to exempt laminated products based on published, available, and relevant information asserting such an exemption is justified. Industry stakeholders submitted to the docket data that suggest an exemption is warranted and should be included in the final rule.

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<sup>i i</sup> TSCA defines “article” as “a manufactured item (1) which is formed to a specific shape or design during manufacture, (2) which has end-use function(s) depending in whole or in part upon its shape or design during end use, and (3) which has either no change of chemical composition during its end use or only those changes of composition that have no commercial purpose separate from that of an article, and that results from a chemical reaction that occurs upon end use of other chemical substances, mixtures, or articles.” “Articles” that contain chemical substances which are not intended to be removed and have no separate commercial purpose have until now been generally exempt from TSCA.



June 8, 2017

Mr. Erik Winchester  
National Program Chemicals Division (NPCD)  
Office of Pollution Prevention and Toxics (OPPT)  
C/O Document Control Office (7407M)  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460-0001

RE: Formaldehyde Emission Standards for Composite Wood Products; Compliance Date Extension – Docket No. EPA-HQ-OPPT-2017-0244-0001; FRL-0062-85

Dear Mr. Winchester:

I am writing for the International Wood Products Association (IWPA) to provide comments to the Environmental Protection Agency on the Formaldehyde Emission Standards for Composite Wood Products; Compliance Date Extension, 82 Fed. Reg. 23769 (May 24, 2017).

IWPA represents the importers of wood and wood products, the offshore and domestic manufacturers who utilize these products and the service providers that facilitate trade. Our members are typically small businesses and include Third Party Certifiers (TPCs). The wood products industry is increasingly global in scope. A finished wood product in today's global marketplace will be sourced from multiple locations, domestic and global. Any rule to regulate formaldehyde emissions from composite wood products must take that complexity and global supply chain into account.

IWPA is not a testing organization and will derive no revenue from either the EPA or CARB composite wood regulations. Rather, we seek to ensure that importers of wood products and the domestic manufacturers who incorporate these products into their finished goods can comply with this new complex regulatory regime. We are grateful that the EPA has taken steps to address some of our concerns that have been raised about this rule, which will have far reaching consequences for many of our members.

## **I. IWPA Supports the Direct Final Rule on Compliance Date Extension**

IWPA supports EPA's issuance of a Direct Final Rule (Formaldehyde Emission Standards for Composite Wood Products; Compliance Date Extension, 82 Fed. Reg. 23735 (May 24, 2017)) to extend the Toxic Substances Control Act (TSCA) Title VI final rule compliance dates as well as the



transitional period during which CARB TPCs may certify composite wood products under TSCA Title VI without an accreditation issued by an EPA TSCA Title VI Accreditation Body so long as the TPC remains approved by CARB, is recognized by EPA, and complies with all aspects of the final rule.

We are pleased that EPA took time to review the Formaldehyde Emission Standards for Composite Wood Products regulation and delayed the effective date of the final rule. However, we are deeply concerned that failure to extend the internal compliance dates as proposed by the Direct Final Rule will have considerable adverse effects on regulated industries. As such, we support this Direct Final Rule.

If the internal compliance dates are not extended, EPA will have considerably reduced the time available for Third-Party Certifiers (TPCs), panel manufacturers, fabricators, importers, distributors and retailers to obtain compliance by the mandated date of December 12, 2017, creating a substantially increased regulatory burden. Importantly, in its March 20, 2017 final rule further delaying the effective date, EPA changed the effective date of the rule but did *not* revise any of the implementation dates for all other provisions of the rule.

Under this rule, EPA must first recognize Product and Laboratory Accreditation Bodies, only then can a Third-Party Certifier apply for and be recognized by EPA. Panel manufacturers must have an EPA-recognized Third-Party Certifier certify its production processes and only when that task is complete can it be approved to manufacture EPA / TSCA compliant wood composite panels. Covered products must be compliant and labeled by December 12, 2017 to be sold in the U.S. In turn, fabricators, importers, distributors and retailers must wait until these steps are complete to be able to supply compliant products to the marketplace.

Also under the regulation, beginning December 12, 2017, one year after the regulation's original effective date, all covered wood products must be labeled as TSCA compliant. While we initially communicated our concerns about this tight one-year timeframe to EPA staff, the two delays have eliminated four months before the process can begin. We are concerned that the shrinking timeframe combined with limited staffing at EPA to process applications, finite TPC capacity, and the large number of composite wood product producers that must be visited will make it nearly impossible for U.S. businesses to bring their supply chains into compliance. This Direct Final Rule will address these concerns.

## **II. Outstanding Issues that EPA Must Address Through Subsequent Actions to Ease Regulatory Burden**

**Non-Complying Lots:** We were pleased to that on June 7th, EPA updated its series of Frequently Asked Questions on this regulation to address concerns that IWPA and other industry groups have raised about downstream notification of non-complying panel lots ([FAQs 16-18](#)). The new FAQs clarify that this section applies only to composite wood panels. Panels that have been incorporated into component parts or finished goods are not subject to the requirements discussed in these questions. While this is helpful and provides additional certainty to fabricators, we are hopeful that this matter can be incorporated into the regulation through a future Direct Final Rule.

**Early Compliance with Labeling Requirement:** We respectfully request that EPA allow for the voluntary truthful labeling of compliant products prior to the date at which labeling is required. While at first glance it may appear that the final rule will require a rather simple change over to new *TSCA Title VI Compliant* labels, in fact the precipitate change in labeling – prohibited on March 21, 2018 (if the Direct Final Rule takes effect) and required on March 22, 2018 – would cause untold confusion in the marketplace and unnecessary burdens for panel producers, fabricators, distributors and retailers who seek to roll-out new TSCA-compliant SKUs and manage their inventories to address potential seasonal disruptions, while voluntarily and legitimately complying with the new regulation *prior to* the effective date.

There is no statutory requirement for the regulation’s early labeling prohibition. The statute directs EPA to promulgate regulations regarding labeling, but addresses timing of the labeling in the following language:

*(B) IMPLEMENTING REGULATIONS – the regulations promulgated under this subsection shall – (II) not require any labeling or testing of composite wood products or finished goods containing regulated composite wood products manufactured before the designated date of manufacturer.*

The statutory language is very logical. Regulated entities should not be required to label before the underlying regulations take effect. However, the statutory prohibition on the EPA not requiring such labeling has morphed into a regulatory prohibition on manufacturers from labeling. This was not contemplated by the Congress and is not supported by a close reading of the Statute.

**Import Certification:** This regulation marks the first time EPA has applied the import certification requirements of TSCA to “articles.”<sup>1</sup> Until now articles containing regulated chemicals have generally been exempt from TSCA. This unprecedented shift results in costly double regulation for composite wood product imports, which are already subject to the formaldehyde emission standards and the associated, labeling, testing, Third Party Certification, chain-of-custody, recordkeeping, and reporting requirements. This additional burden is unnecessary and provides no added public safety benefit.

When this regulation was being developed, EPA’s weak justification was that import certifications are a potential “reminder” to importers. With every single imported shipment already required to meet labeling and documentation requirements, there is *no* justification for the conclusion that importers need such a reminder.

EPA also refers to import certification as a “compliance monitoring tool” -- this negates the fact that typically this tool is only used for bulk chemicals and mixtures of toxic chemicals that are *not* independently subject to other compliance monitoring. In contrast, composite wood products are engaged in significant compliance monitoring, Third Party Certification, labeling and reporting. In addition, EPA has never before applied import certification requirements to articles and should not have made such a major change to this well-established policy without a dedicated review.

Under this regulation, importers (or their authorized agents) must certify either that each shipment is subject to TSCA and complies with all applicable rules and orders thereunder (positive certification), or that the chemical shipment is not subject to TSCA (negative certification). This statement must be on or attached to a commercial invoice or entry document belonging to the

imported shipment. This requires costly coordination with importing agents and brokers, revision of international forms and documents, the submission of additional paperwork, adjustments to internal processes, and training – all on top of the already substantial requirements of the broader Formaldehyde Emission Standards for Composite Wood Products regulation. In addition, CBP is now required to review a flood of new import certifications. For those products exempted under the rule it is not clear if they would also be forced to do a negative certification. That additional requirement could snare scores of companies otherwise exempted from the rule. Such a result will only lead to more confusion, unnecessary paperwork, and costly analysis for each entry.

**Laminated Products Exemption:** EPA disregarded their legislative mandate to evaluate laminated products by ignoring available and published data suggesting that finished furniture dramatically reduces the emission profile of laminated products used as component parts of finished goods. In the final rule, EPA gave no credit or recognition to the value-added process of finished furniture. It should be noted that EPA has discretion to exempt laminated products based on published, available, and relevant information asserting such an exemption is justified. Industry stakeholders submitted to the docket data that suggest an exemption is warranted and should be included in the final rule.

Thank you for this opportunity to share IWPA's perspective on this matter. Please contact Joe O'Donnell ([joe@iwpawood.org](mailto:joe@iwpawood.org)) or myself ([cindy@iwpawood.org](mailto:cindy@iwpawood.org)) if you have questions or need additional information.

Respectfully submitted,



Cindy L. Squires, Esq.  
Executive Director

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<sup>i i</sup> TSCA defines "article" as "a manufactured item (1) which is formed to a specific shape or design during manufacture, (2) which has end-use function(s) depending in whole or in part upon its shape or design during end use, and (3) which has either no change of chemical composition during its end use or only those changes of composition that have no commercial purpose separate from that of an article, and that results from a chemical reaction that occurs upon end use of other chemical substances, mixtures, or articles." "Articles" that contain chemical substances which are not intended to be removed and have no separate commercial purpose have until now been generally exempt from TSCA.

Message

---

**From:** Dimitri.Karakitsos@hklaw.com [Dimitri.Karakitsos@hklaw.com]  
**Sent:** 6/24/2017 11:55:00 AM  
**To:** Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]  
**CC:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; T aylor, Patrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b6d06c6b766c4b4b8bfd6b0fea4b998-T aylor, Pa]  
**Subject:** FW: BISSELL Box and Bottle Labels  
**Attachments:** Copy of BISSELL\_EPA Region 9\_Product Box and Bottle Label Matrix (Confidential).xlsx; 1610127 - Label, Front, DC plus Antibacterial 8oz 1610126.pdf; 1610128 - Label, Back, DC plus Antibacterial 8oz 1610126.pdf; 1610156 - Label, Front pet plus Antibac 8oz 1610155.pdf; 1610157 - Label, Back pet plus Antibac 8oz 1610155.pdf

Byron – per our conversation attached are some documents I hope help clarify things. Please let me know if there is anything else I can help provide.

Thanks

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

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Attached are copies of the relevant labels.

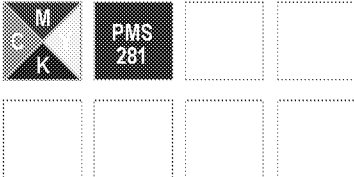
1. As an orientation, there are two versions of the antibacterial formula: BISSELL Deep Clean + Antibacterial ("Deep Clean") and BISSELL Pet Stain & Odor + Antibacterial ("Pet"). They are the same formulation and registration number (EPA Reg. No. 6297-1), just alternative brand names.
2. A matrix of the box labels is attached (first Excel File). These are the labels at issue with Region 9. See Row 5. BISSELL maintains that these labels should be acceptable for the specifically identified units already received in the U.S., because the labels are consistent with the EPA-approved Master Label and they meet the required elements of 40 CFR 156.10(a). Note that the boxes of all product leaving the factory now are consistent with Region 9's requirements; it is only the previously produced product, in quarantine or on the water now, that is at issue.
3. The next four PDF file attachments are the labels for the 8-ounce trial size formula bottles enclosed in the box. These consist of a flat front panel and a 3-panel accordion fold out back panel for both the Deep Clean and the Pet formula. (The fold-out format is necessary given the small bottle size.) The boxes contain only one antibacterial formula each (either the Deep Clean or the Pet formula), along with trial sizes of other, non-antibacterial formulas.

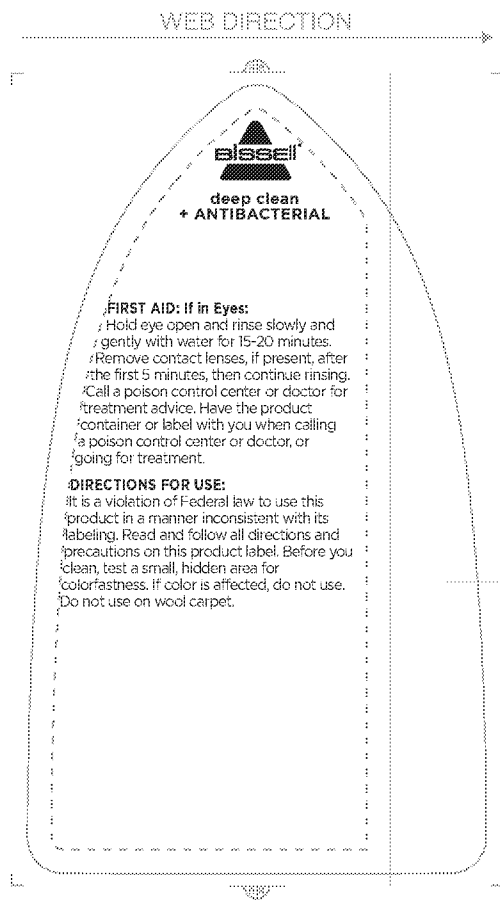
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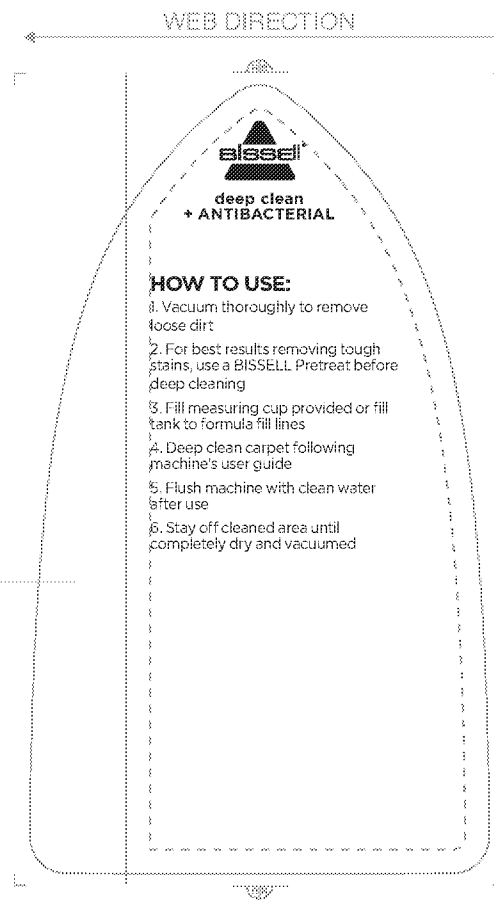
addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of H&K, do not construe anything in this e-mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of H&K, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.



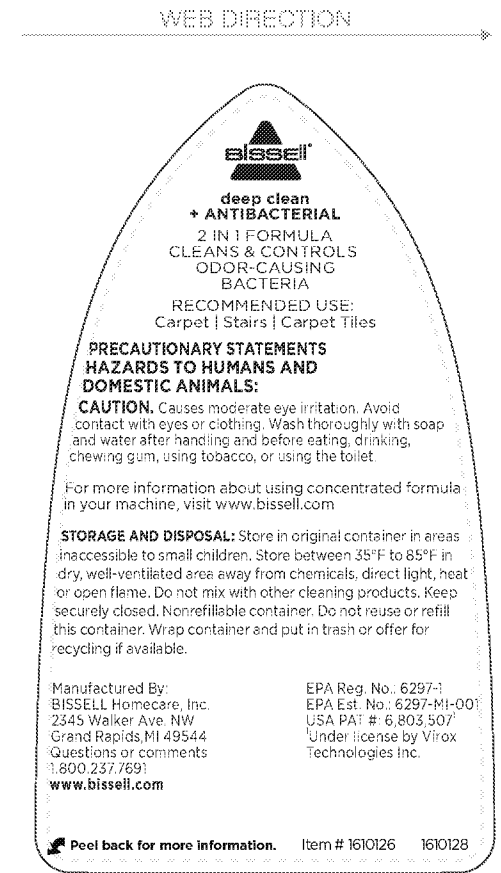
JOB INFO		PRINTING INFO	COLORS			
CLIENT: BISSELL	PROD MGR: Rachael McCoy	PRINTING: LITHO				
PRODUCT: 8oz Deep Clean + Anti Bacterial 8oz		PRINTER: MONET				
DIE NAME: N/A		RELEASE TO: Monet				
FILE NAME: BSL_MACH_CON031_1610126_DC+AntiBac_0616_Chem08_Front		RELEASE DATE: 00.00.16				
<div>evolve</div> <div>312.957.4154 www.evolvecreates.com 311 West Superior, Suite 300 Chicago, Illinois 60654</div>			<div>PROOF DATE: 06.21.16</div> <div>ROUND: 2</div>			



4.108" X 2.39  
8 OZ. DIE LINE



4.108" X 2.39  
8 OZ. DIE LINE

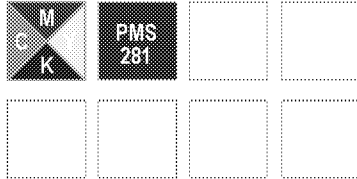


4.108" X 2.39

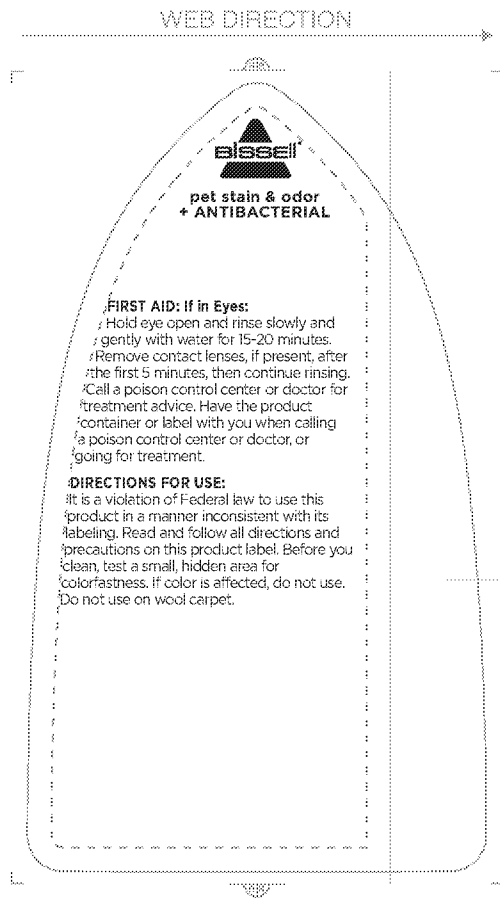
JOB INFO		PRINTING INFO	COLORS			
CLIENT: BISSELL	PROD MGR: Rachael McCoy	PRINTING: Flexo	<div><div>PMS 185</div><div>Black</div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div>Top Ply</div> <div>PROOF DATE: 06.24.16</div> <div>ROUND: 3</div>		
PRODUCT: 8oz Deep Clean + Antibacterial		PRINTER: Inland				
DIE NAME: die 3.05.14		RELEASE TO: Inland				
FILE NAME: BSL_MACH_CON031_1610126_DC+AntiBac_0616_Chem08_Back		RELEASE DATE: 00.00.16				
evolve		312.957.4154 www.evolvecreates.com 311 West Superior, Suite 308 Chicago, Illinois 60664				

312.957.4154  
www.evolvecreates.com  
311 West Superior, Suite 308 Chicago, Illinois 60654

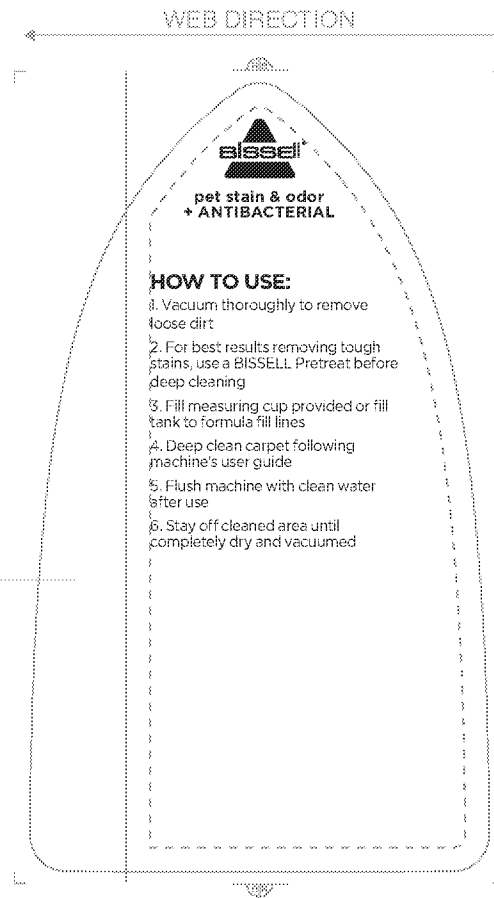


JOB INFO		PRINTING INFO	COLORS			
CLIENT: BISSELL	PROD MGR: Rachael McCoy	PRINTING: Flexo				
PRODUCT: Pet Stain & Odor + Anti Bacterial 8oz		PRINTER: Inland				
DIE NAME: N/A		RELEASE TO: Inland				
FILE NAME: BSL_MACH_CON032_1605868_PetStain&OdorAntiBac_0616_Chem08_Front		RELEASE DATE: 00.00.16				
<div>evolve</div> <div>312.957.4154 www.evolvecreates.com 311 West Superior, Suite 308 Chicago, Illinois 60654</div>			<div>PROOF DATE: 06.15.16</div> <div>ROUND: 1</div>			

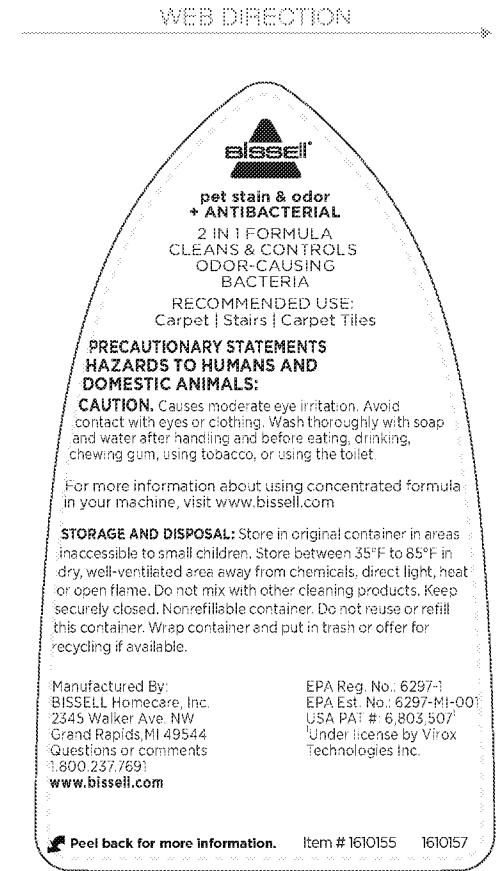




4.108" X 2.39  
8 OZ. DIE LINE



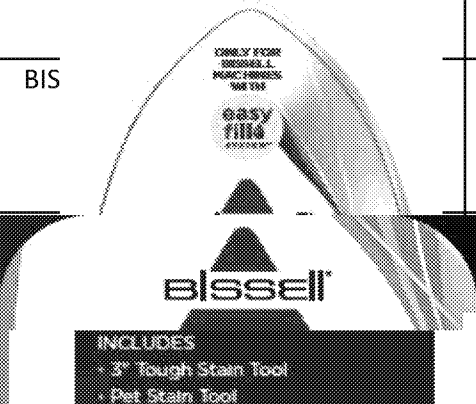

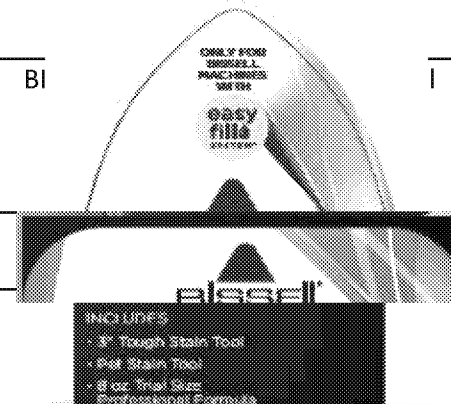
4.108" X 2.39  
8 OZ. DIE LINE





4.108" X 2.39

JOB INFO		PRINTING INFO	COLORS			
CLIENT: BISSELL	PROD MGR: Rachael McCoy	PRINTING: Flexo	<div><div>PMS 185</div><div>Black</div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>			
PRODUCT: Pet Stain & Odor + Anti Bacterial 8oz		PRINTER: Inland				
DIE NAME: die 3.05.14		RELEASE TO: Inland				
FILE NAME: BSL_MACH_CON032_1610155_PetStain&OdorAntiBac_0616_Chem08_Back		RELEASE DATE: 00.00.16				
			Top Ply			
evolve			PROOF DATE: 06.24.16			
312.957.4154 www.evolvecreates.com 311 West Superior, Suite 308 Chicago, Illinois 60654			ROUND: 3			

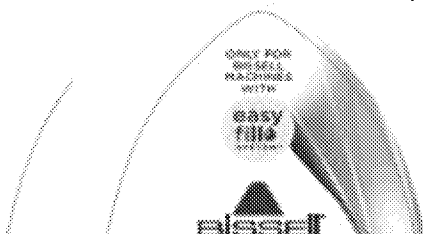

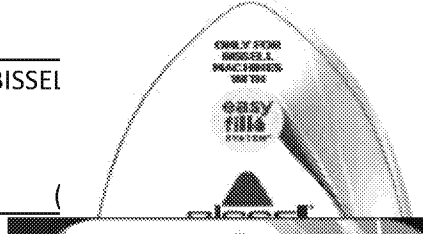

**BISSELL\_EPA Region 9\_Product\_Box\_Label Matrix (Confidential - For Settlement Purposes Only)**

Model Number	1548	1551	15482
Description	Proheat 2X Revolution (Pet)	Proheat 2X Revolution	Proheat 2X Revolution (Pet)
Formula Packed In with Unit (8 oz.)			
Formula Part Number	BIS	E	BI
Formula Label Shown on Carton			
Net Content Shown on Carton			

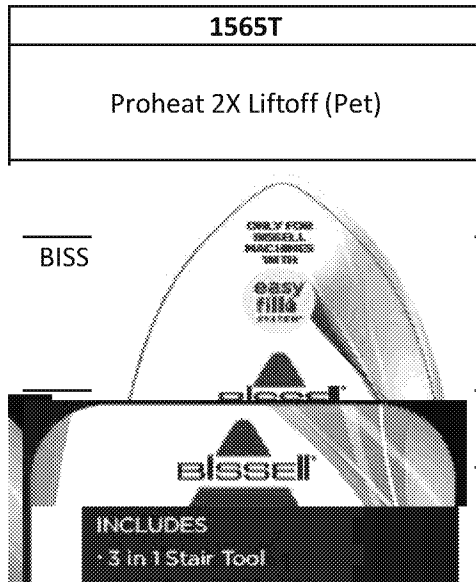
**BISSELL\_EPA Region 9\_Product\_Box\_Label Matrix (Confidential - For Settlement Purposes Only)**

1964	1986
Proheat 2X Revolution (Pet Pro)	Proheat 2X Revolution (Pet Pro)
	

**BISSELL\_EPA Region 9\_Product\_Box\_Label Matrix (Confidential - For Settlement Purposes Only)**

2007	19862	2007P	15652
Proheat 2X Revolution (Pet Pro)	Proheat 2X Revolution (Pet Pro)	Proheat 2X Revolution (Pet Deluxe)	Proheat 2X Liftoff (Pet)
BISSELL Pet Stain & Odor + Antibacterial Formula 1610155			
<p><b>BISSELL® Pet Stain and Odor + ANTIBACTERIAL 2 IN 1 FORMULA</b>  <b>CLEANS &amp; CONTROLS ODOR-CAUSING BACTERIA</b>  <b>STAIN &amp; ODOR REMOVER FOR CARPET</b>  <i>Active Ingredient</i>                      Hydrogen Peroxide..... 4.87%                      Other Ingredients..... 95.13%                      Total..... 100.00%</p>	<p><b>CAUTION:</b> Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.</p> <p><b>DIRECTIONS FOR USE:</b> It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read and follow all directions and precautions on this product label. Before you clean, test a small, hidden area for colorfastness.</p>	<p><b>STORAGE AND DISPOSAL:</b> Store in original container in area inaccessible to small children. Store between 35°F to 80°F in dry, well-ventilated area away from chemicals, direct light, heat or open flame. Do not mix with other cleaning products. Keep securely closed. Nonrefillable container. Do not reuse or refill this container. Wrap container and put in trash or offer for recycling if available. Only if available. Only use with BISSELL Machines with Easy Fill System™</p>	

BISSELL\_EPA Region 9\_Product\_Box\_Label Matrix (Confidential - For Settlement Purposes Only)



Message

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**From:** Rozsa, Gabe [Gabe.Rozsa@prime-policy.com]  
**Sent:** 6/22/2018 1:45:32 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Chris Mitchell [ChrisMitchell@ipc.org]  
**Subject:** Electronic Byproducts Sent for Recycling

Dear Dr. Beck,

I am writing on behalf of our client, IPC, the Association Connecting Electronics Industries, concerning an issue we have discussed in the past, regulatory streamlining of the reporting other requirements under TSCA for inorganic byproduct sent for recycling.

As you know, this issue was addressed in the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act and was the subject of a negotiated rulemaking that failed to achieve consensus. Despite that failure, we believe EPA has direction from Congress to work toward, at a minimum, an easing of the reporting requirements on this industry and perhaps a lessening of the overall regulatory burden of compliance with TSCA for lower risk chemicals. We are also aware that EPA is working on a number of other fronts to look for ways to streamline and prioritize regulations to improve outcomes for all including making sure that scarce industry and regulatory resources are focused on the problems that pose the greatest environmental risk while also minimizing the regulatory burden to that needed to adequately address the risk.

We recently met with Deputy Administrator Wheeler and he urged us to continue the dialogue on measures underway within the EPA to address our concerns. I was hoping to set up a follow on conversation with you and the DC leadership of IPC on this subject in the near future. Please send me dates and times that might work for you and your staff to continue the dialogue.

Gabe

**Gabe Rozsa**  
Managing Director  
1110 Vermont Avenue, NW | Suite 1000 | Washington, DC 20005  
Ex. 6 Fax: 202 530 4800 Ex. 6  
[www.prime-policy.com](http://www.prime-policy.com)



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Message

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**From:** Dimitri.Karakitsos@hklaw.com [Dimitri.Karakitsos@hklaw.com]  
**Sent:** 6/1/2017 4:23:25 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Call when convenient  
  
**Flag:** Flag for follow up

I can talk anytime on my cell – **Ex. 6**

Thanks

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6** Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

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Message

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**From:** Gary Van Sickle [gary@specialtycrops.org]  
**Sent:** 7/10/2017 4:09:27 PM  
**To:** Saquib.Ahsan@fas.usda.gov; catharine.anderson@rma.usda.gov; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Richard.Bireley@cdpr.ca.gov; dcarpent@njaes.rutgers.edu; Richard.Chavez@fas.usda.gov; Ronald.Colby@ARS.USDA.GOV; kristaco@njaes.rutgers.edu; suzanne.conrad@cdfa.ca.gov; Jeff.DeLong@ARS.USDA.GOV; kmfontecha@ucanr.edu; Mark.Freeman@fas.usda.gov; Susan.Fregien@waterboards.ca.gov; mjhengel@ucdavis.edu; Hook, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=178f796f8d834d49aacb303b18e72db6-Hook, James]; Kiely, Timothy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4d74eafd93c4fc7bc22ddbffa249d9-Timothy M Kiely]; vanessa.lester@nifa.usda.gov; Maxwell.leung@cdpr.ca.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13d30a01f94d4f1ead0bd9a6b29c047c-Maxwell.leu]; Eric.C.Longen@aphis.usda.gov; Maignan, Tawanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=55feb19c04b64d36b629242fd3fa4912-Tawanda Maignan]; Mannix, Marianne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=962a1f78b5b444cc93d3654a16a9329e-Mannix, Marianne]; Teresa.Marks@cdpr.ca.gov; bob@calpear.com; Sue.McConnell@waterboards.ca.gov; gobenauf@agresearchconsulting.com; moreilly@nifa.usda.gov; Megan.Parker@cdpr.ca.gov; sparreira@ucanr.edu; Leandro.Ramos@cdfa.ca.gov; fgrosa@ucanr.edu; rebecca.tabor@waterboards.ca.gov; Taylor, Katherine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=178d87778c4448d3b2689fad6a08a958-KTAYLO03]; teferi.tsegaye@ars.usda.gov; gary@specialtycrops.org; Edgar.Vidrio@cdpr.ca.gov; charlie.walthall@ars.usda.gov; Valerie.Wilson@cdpr.ca.gov; Gregory.Wroblicky@cdpr.ca.gov; Yozzo, Krystle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Yozzo, Krystle]  
**Subject:** CCCC Outreach Tour - Aug 7-10

Greetings,

For lunch on Thursday August 10, we get the Subway "To Go Meal Box". I need each of you to send me your lunch order.

The sandwich options are: Veggie Delite, Black Forest Ham, Cold Cut Combo or Spice Italian.

The cheese options are: White American or Yellow American.

Please respond back to me with your sandwich type and cheese type.

Thanks,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council  
31831 Road 132  
Visalia, CA 93292  
Phone: Ex. 6  
Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
Website: <http://specialtycrops.org>



Message

---

**From:** Gary Van Sickle [gary@specialtycrops.org]  
**Sent:** 6/21/2017 11:06:56 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Cleland-Hamnett, Wendy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b84439fcdf02426abd539d8bb6c9ef6f-Cleland-Hamnett, Wendy]; Hook, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=178f796f8d834d49aacb303b18e72db6-Hook, James]; Kiely, Timothy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4d74eafd93c4fc7bc22ddbffa249d9-Timothy M Kiely]; Maignan, Tawanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=55feb19c04b64d36b629242fd3fa4912-Tawanda Maignan]; Mannix, Marianne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=962a1f78b5b444cc93d3654a16a9329e-Mannix, Marianne]; Yozzo, Krystle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Yozzo, Krystle]  
**CC:** Hogue, Joe [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ef04ce2e76e844d3a6151cd4fa46e754-Joseph E. Hogue]  
**Subject:** CA Specialty Crops Council's Annual Outreach Tour Aug 7-11  
**Attachments:** Liability Waiver Form 2017.pdf; California Specialty Crops Council 2017.docx; 2017 Tour Flyer.doc

Greetings:

We are a little over 6 weeks away from our tour kick-off/orientation dinner. We are pleased that all of you will be joining us in early August for our annual outreach tour. We have great visits lined up so you can learn more about agriculture in California.

Attached is a liability release form that I need each of you to complete and return to me. Please try to get the form back to me by June 30. In regards to dietary needs/restrictions, please indicate if you are vegetarian, so we can have alternative meals for you.

The following commodity groups compose the California Specialty Crops Council and are the hosts for this annual tour: CA Cherry Board, CA Dried Plum Board, CA Fresh Carrot Advisory Board, CA Garlic and Onion Research Advisory Board, CA Leafy Greens Research Program, CA Melon Research Board, CA Pear Advisory Board, CA Pepper Commission and the CA State Beekeepers Association.

If you have any questions regarding the tour please contact me.

Regards,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council  
31831 Road 132  
Visalia, CA 93292  
Phone: Ex. 6  
Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
Website: <http://specialtycrops.org>



## California Specialty Crops Tour: August 7-11, 2017

**Purpose:** To increase knowledge, dialogue and linkages with stakeholders in California agriculture

### The 2017 California Specialty Crops Tour Will Address the Following Topics:

- **IPM** – On-farm visits with farmers, pest control advisors and research scientists
- **Invasive Pests** – Learn about ACP, impacts on trade, and critical importance of managing new pests
- **Worker Protection** - Observe workers and field practices
- **Sustainable Agriculture** - Water, air, soil, natural resources conservation, secondary standards
- **Volatile Organic Compounds and Air Quality** – Current issues and proposed regulations
- **Endangered Species Act** – Impacts and concerns
- **Application Technology and Drift Mitigation** - In field demonstrations
- **Post Harvest Pest Management** – Critical storage issues and techniques
- **Fumigant Issues, Methyl Bromide and Alternatives** – Field research and new fumigant technologies
- **Biopesticides and Biological Control** – New active ingredients
- **Food Safety** – Field to fork issues, food safety initiatives and commodity programs
- **International Trade Issues** – How field based decisions impact export opportunities (e.g. MRLs)
- **Honey Bees and Pollination** – Hive health, colony collapse disorder, pollination needs
- **Water Situation in California** - Acreage trends, impacts on environmental quality and communities
- **Cross Agency Networking, Regulatory Issues and Research Needs of Specialty Crops**

WHEN	Mon. 8/7	Tues. 8/8	Wed. 8/9	Thurs. 8/10	Fri. 8/11
WHAT	Travel Day with Orientation Dinner	Tour	Tour	Tour	Travel Day Return Home
WHERE	Arrive into Visalia/Fresno	Visalia	Visalia to Salinas	Salinas to Sacramento	Depart out of Sacramento
TOPICS	<p><b>TRAVEL</b></p> <p><i>Plan on early PM arrival</i></p> <p><i>Tour Event begins with Reception and Orientation Dinner at 4:30 PM</i></p> <p><i>California/Local Ag Overview</i></p>	<p>Stone fruit, raisin grapes, spray drift mitigation, quarantine pre-plant fumigation, pre-shipment fumigations (QPS), international trade, invasive spp., environmental stewardship, air quality</p> <p><i>Dinner on own in Downtown Visalia</i></p>	<p>Garlic, onions, carrots vegetables, leafy greens, Sensitive aquatic site treatments, worker issues, organic and sustainable production, food safety</p> <p><i>Dinner and discussion</i></p>	<p>Methyl bromide &amp; MB alternatives, melons, area-wide IPM, honey bees and pollination, pheromones, post-harvest disease control, cherries, pears, water quality, vertebrate pests</p> <p><i>Tour ends late afternoon.</i></p>	<p><b>TRAVEL for out-of-state participants</b></p> <p><i>Depart at any time</i></p>

### Crops We Plan to See:

Pears, carrots, onions, garlic, prunes (dried plums), cherries, melons, leafy greens, and others!

**Travel Plans:** Plan to arrive into Fresno or Visalia by early afternoon on Monday, 8/7; the tour officially begins with a reception, orientation dinner, and overview of California/Local Agriculture on Monday evening. For those traveling out of Sacramento, the tour bus will depart from the Farm Bureau parking lot early in the afternoon of 8/7 (12:30 pm) and we will return late afternoon of 8/10. Parking at the Farm Bureau is provided free of charge. Flight departures out of Sacramento need to be after 7:00 PM on Thursday, 8/10 or anytime on Friday, 8/11.

**Costs:** Tour bus transportation, most meals, and all tour materials are provided. Costs for out-of-state participants are estimated to be ~ \$500 for 4 nights of lodging and 3-4 meals (participants provide air transportation to and from tour). Costs for in-state participants are estimated to be ~ \$350 for 3 nights of lodging and a few meals. Some in-state attendees may incur hotel expense for the night of August 10 depending on their origination location. Hotel reservation details will be provided separately for participants, but must be made by Sunday July 9. Please note that space is limited and we need confirmation of attendance by July 1.

**Logistics and Routing Throughout the State:** The 2017 tour will cover a wide cross section of geography and crops in three distinct growing regions of the state. The tour group will travel via bus on a route that originates in Visalia; we will have speakers on the bus to maximize the use of our travel time and opportunities for exchange. The tour will end in Sacramento.

**Attendance and Exchange – Tour Participants:** All participants are expected to attend all 3.5 days of this event and be prepared to give a short description of how their official duties fit into the practice of IPM, Worker Protection, Environmental Stewardship, Resource Conservation, International Trade, Food Safety and/or Ag Sustainability pertaining to specialty crops.

**For Further Information:** Please contact Gary W. Van Sickle (CSCC Executive Director) at [gary@specialtycrops.org](mailto:gary@specialtycrops.org)



## **California Specialty Crops Council**

**31831 Road 132  
Visalia, CA 93292  
Tel: (559) 288-0301  
[gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
<http://specialtycrops.org>**

*“To work together to foster a positive regulatory environment focusing on pest management and stewardship that supports the success of CSCC growers.”*

The California Specialty Crops Council (CSCC), a 501(c) 5 non-profit organization, is a trusted source of field based information spanning horticultural crop production, pest management, food safety and stewardship activities in fruit, root, vegetable, vine and berry crops (fresh, dried, and processed). Our diverse partnership of ag organizations also includes beekeepers. Combined, CSCC growers generate \$4.1 billion annually on approximately 522,000 acres of California farmland. Our members include:

- CA Cherry Board
- CA Dried Plum Board
- CA Fresh Carrot Advisory Board
- CA Garlic and Onion Research Advisory Board
- CA Leafy Greens Research Program
- CA Melon Research Board
- CA Pear Advisory Board
- CA Pepper Commission
- CA State Beekeepers Association

The CSCC is committed to transparent scientific and technical exchange, responsible agricultural practices and effective public policy solutions developed through partnerships with the scientific community, policymakers and other stakeholders in agriculture.

## Mandatory Participant Info- 2017 CA Specialty Crops Tour

Please complete, scan and email back to [gary@specialtycrops.org](mailto:gary@specialtycrops.org) by June 30

<b>Last Name:</b>	
<b>First Name:</b>	
<b>Agency:</b>	
<b>Division/Group/etc.:</b>	
<b>Title:</b>	
<b>Street:</b>	
<b>City/State/ ZIP</b>	
<b>Phone:</b>	
<b>E-mail:</b>	
<b>Years in Present Position:</b>	
<b>Your Cell Phone Number:</b>	
<b>Emergency Contact Person:</b>	
<b>Relationship to you:</b>	
<b>Emergency Contact Phone Number:</b>	
<b>Dietary Needs/ Restrictions:</b>	
<b>Any medical /physical/ etc. limitations:</b>	
<b>Your Supervisor's Name:</b>	
<b>Supervisor's E-mail Address:</b>	
<b>Supervisor's Phone Number:</b>	

To the best of my knowledge, I am in good physical condition and fully able to participate in this tour. I am fully aware of the risks and hazards connected with the participation in this event, including physical injury or even death, and hereby elect to voluntarily participate in said event, knowing that the associated physical activity may be hazardous to me and my property.

I VOLUNTARILY ASSUME FULL RESPONSIBILITY FOR ANY RISKS OR LOSS, PROPERTY DAMAGE, OR PERSONAL INJURY, INCLUDING DEATH, that may be sustained by me, or loss or damage to property owned by me, as a result of participation in this tour.

In signing this release, I acknowledge and represent that I HAVE READ THE FORGOING Waiver of Liability and Hold Harmless Agreement, UNDERSTAND IT AND SIGN IT VOLUNTARILY.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Message

---

**From:** Dimitri.Karakitsos@hklaw.com [Dimitri.Karakitsos@hklaw.com]  
**Sent:** 6/21/2017 9:46:05 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** FYI on Chemours  
**Attachments:** FINAL - Fayetteville Media Release 06 20 2017 - 400.pdf

Let me know if you have any questions or if there is anything we can provide.

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

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## Chemours Announces Voluntary Actions to Respond to North Carolina Community

### *Additional Measures Will Eliminate Byproduct GenX Wastewater Emissions From Fayetteville Site in North Carolina*

**Wilmington, Del.**, June 20, 2017 – The Chemours Company (Chemours) (NYSE: CC) today announced that it will capture, remove, and safely dispose of wastewater that contains the byproduct GenX generated from fluoromonomers production at its manufacturing plant in Fayetteville, North Carolina. Trace GenX amounts in the Cape Fear River to date have been well below the health screening level announced by the North Carolina Department of Health and Human Services on June 12, 2017, and the company continues to believe that emissions from its Fayetteville facility have not impacted the safety of drinking water. However, Chemours will take these additional steps, embracing its role as a significant employer and member of the community. The capture and removal of this wastewater will commence on June 21, 2017. This action complements the abatement technology already put in place at the Fayetteville site in 2013.

Chemours will continue to work closely with local and state officials to answer questions, provide information as needed, and determine next steps. As a new company, Chemours is built on a culture of safety and sustainability and will continue its efforts to reduce its environmental footprint.

#### About The Chemours Company

The Chemours Company (NYSE: CC) helps create a colorful, capable and cleaner world through the power of chemistry. Chemours is a global leader in titanium technologies, fluoroproducts and chemical solutions, providing its customers with solutions in a wide range of industries with market-defining products, application expertise and chemistry-based innovations. Chemours ingredients are found in plastics and coatings, refrigeration and air conditioning, mining and general industrial manufacturing. Our flagship products include prominent brands such as Teflon™, Ti-Pure™, Krytox™, Viton™, Opteon™, Freon™ and Nafion™. Chemours has approximately 7,000 employees and 26 manufacturing sites serving approximately 4,000 customers in North America, Latin America, Asia-Pacific and Europe. Chemours is headquartered in Wilmington, Delaware and is listed on the NYSE under the symbol CC. For more information please visit [chemours.com](http://chemours.com)

#### Forward-Looking Statements

This press release contains forward-looking statements, within the meaning of the federal securities laws, that involve risks and uncertainties. Forward-looking statements provide current expectations of future events based on certain assumptions and include any statement that does not directly relate to any historical or current fact. The words "believe," "expect," "anticipate," "plan," "estimate," "target," "project" and similar expressions, among others, generally identify "forward-looking statements," which speak only as of the date the statements were made. These forward-looking statements address, among other things, the offering, our agreement with DuPont relating to the MDL Settlement, resolution of environmental liabilities, litigation and other contingencies, anticipated future operating and financial performance, business plans and prospects, that are subject to substantial risks and uncertainties that could cause actual results to differ materially from those expressed or implied by such statements. Forward-looking statements are based on certain assumptions and expectations of future events which may not be accurate or realized. Forward-looking statements also involve risks and uncertainties, many of which are beyond Chemours' control. Additionally, there may be other risks and uncertainties that Chemours is unable to identify at this time or that Chemours does not currently expect to have a material impact on its business. Factors that could cause or contribute to these differences include whether the

offering is completed and other risks, uncertainties and other factors discussed in our filings with the Securities and Exchange Commission, including our Annual Report on Form 10-K for the year ended December 31, 2016. Chemours assumes no obligation to revise or update any forward-looking statement for any reason, except as required by law.

**CONTACT****MEDIA**

*Alvenia Scarborough*

*Director of Brand Marketing and Corporate Communications*

**Ex. 6**

[media@chemours.com](mailto:media@chemours.com)

**INVESTORS**

*Alisha Bellezza*

*Treasurer and Director of Investor Relations*

**Ex. 6**

[investor@chemours.com](mailto:investor@chemours.com)

Message

---

**From:** KUNZ David [david.kunz@arkema.com]  
**Sent:** 5/25/2017 9:14:20 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Dominguez, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ced433b4ef54171864ed98a36cb7a5f-Dominguez,]  
**CC:** BERNSTEIN Rebecca [rebecca.bernstein@arkema.com]; KARPMAN Allen [allen.karpman@arkema.com]  
**Subject:** Thank you

Mandy, Nancy, Alex,

Many thanks, again, for your time yesterday.

We know you have a lot on your plates, so we really appreciated it even more.

Please do not hesitate to contact us if we can provide any additional information, and we look forward to staying in touch.

Again, thank you for your time and consideration.

David, Rebecca, Allen

David E. Kunz  
Arkema Inc.

**Ex. 6**

david.kunz@arkema.com  
www.arkema.com



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Message

**From:** Andy LaVigne [alavigne@betterseed.org]  
**Sent:** 6/6/2018 7:13:05 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Jane DeMarchi [jdemarchi@betterseed.org]  
**Subject:** ASTA Letter of Thanks  
**Attachments:** ASTA Thank You to Dr. Nancy Beck \_ EPA 6.05.18.pdf

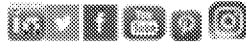
Dear Dr. Beck,

Attached is a letter of thanks for meeting with ASTA and other interested parties on plant breeding methods. We look forward to working with you in the future.

All the best,  
Andy



**Andrew W. LaVigne**  
President & CEO  
1701 Duke St., Suite 275  
Alexandria VA 22314  
(w)703-837-8140  
(m)571-451-5979  
[alavigne@betterseed.org](mailto:alavigne@betterseed.org)



**Register today for  
ASTA's new Policy  
& Leadership  
Development  
Conference!**



For more information [Here!](#)

June 6, 2018

Dr. Nancy B. Beck, DABT  
U.S. Environmental Protection Agency  
Deputy Assistant Administrator  
1201 Constitution Ave., NW (7101M)  
WJC East, Room 3148A  
Washington, DC 20004

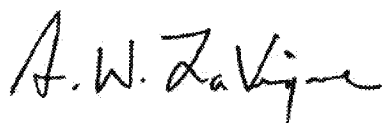
Dear Nancy,

On behalf of ASTA and our members, I would like to express our sincere thanks for the time you took out of your schedule to discuss the future of plant breeding innovation. I think the passion and excitement of the diverse group was clear. If an appropriate policy framework can be applied, tools such as gene editing will have a tremendous impact on our ability to sustainably address a wide-range of challenges.

Gene editing was identified as an important technological innovation to improve livelihoods in rural America in the report of the *Task Force on Agriculture and Rural Prosperity*. By working collaboratively with USDA and FDA, EPA can help secure the future for plant breeding and innovation. However, over regulation will have a stifling effect on U.S. leadership in agriculture.

We appreciate that you and your team are open to continued dialogue. As I noted in the meeting, a large group of food value chain and academic organizations have a strong interest in ensuring that these tools remain broadly available. Please do not hesitate to contact me or any of the groups that participated in the meeting for further discussion.

Sincerely,



Andrew W. LaVigne  
President & CEO

**Meeting Participants  
May 17, 2018**

Andy LaVigne	ASTA
Bernice Slutsky	ASTA
Jane DeMarchi	ASTA
Elizabeth Stulberg	Agronomy, Crop and Soil Science Societies
Andrew Walmsley	American Farm Bureau Federation
John Gordley	American Soybean Association
Tyrone Spady	American Society of Plant Biologists
Clint Nesbitt	BIO
Katharine Emerson	National Corn Growers Association
Joe Bischoff	Produce Marketing Association

Message

---

**From:** Jane DeMarchi [jdemarchi@betterseed.org]  
**Sent:** 5/10/2018 1:57:24 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**Subject:** RE: Request for Meeting  
**Attachments:** May 9 2018.jpg  
  
**Flag:** Flag for follow up

Thanks for your quick response. Additional information on our concerns is below.

On Monday, May 7, EPA withdrew two prior proposed exemptions from pesticide regulation for improvements that:

- act by primarily affecting the plant, such as creating a stronger stalk or other structural barrier to pests attempting to attach to the plant, and
- are not likely to present new exposures to non-target organisms because genes are being transferred between sexually compatible plants [within the same gene pool?].

On Wednesday, May 9, an EPA scientist made a presentation at Iowa State University on gene-edited products which could be interpreted to set out EPA regulatory policy on the regulation of gene-edited products, and indicated that rulemaking would be required to allow these products to be exempted from regulation (see attached).

Derrick, thank you for helping to find a time for our group to meet.

Jane DeMarchi  
VP, Government and Regulatory Affairs  
American Seed Trade Association

Ex. 6 (office)  
Ex. 6 (cell)

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Thursday, May 10, 2018 6:53 AM  
**To:** Jane DeMarchi  
**Cc:** Bolen, Derrick  
**Subject:** Re: Request for Meeting

Jane,  
I'm not sure what happened to cause confusion but I can assure you we have not taken a position and did not intend to take any positions in Iowa yesterday.  
Derrick can assist in finding time for us to chat.

Regards,  
Nancy.

\*\*\*\*\*

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention

P: Ex. 6  
M:

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

On May 9, 2018, at 4:51 PM, Jane DeMarchi <[jdemarchi@betterseed.org](mailto:jdemarchi@betterseed.org)> wrote:

Dear Ms. Beck:

We are surprised and disappointed that EPA has chosen to publicly take a position on new plant breeding techniques via a public meeting in Iowa today. New plant breeding techniques, such as CRISPR/Cas and TALEN, essentially mimic conventional breeding methods in use for decades as well as breeding that occurs in nature.

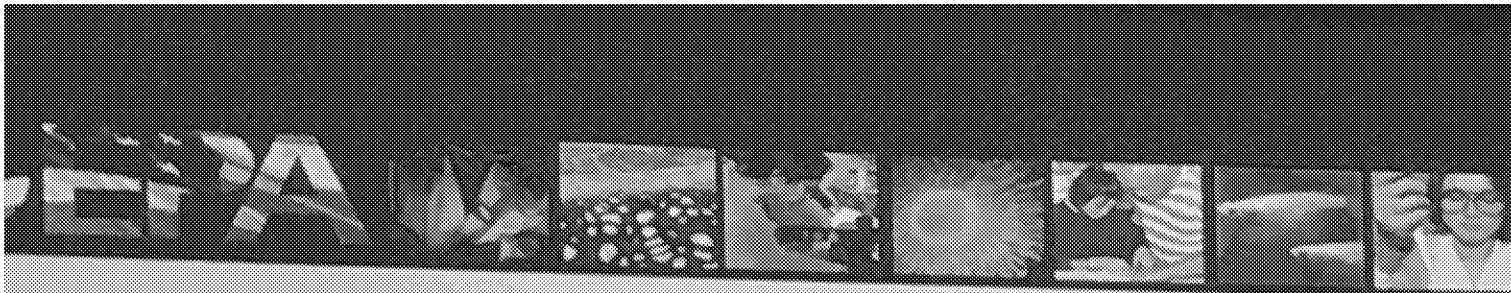
We would like to request a meeting with you at your earliest convenience to discuss EPA's planned policy approach which appears to be at odds with USDA's recently announced approach. In addition to our organization, the American Seed Trade Association, we hope to include BIO, National Corn Growers Association, American Soybean Association, American Farm Bureau Federation, United Fresh Produce and the Produce Marketing Association in our meeting.

ASTA had a meeting scheduled with EPA staff including Rick Keigwin and Bob McNalley on May 17th at 1:00 pm to discuss this subject so it was something of a shock to see that it appears that significant decisions have already been made.

We greatly appreciate your taking the time to meet with us.

<image001.png>  
**Check out ASTA's new website!**  
[www.betterseed.org](http://www.betterseed.org)

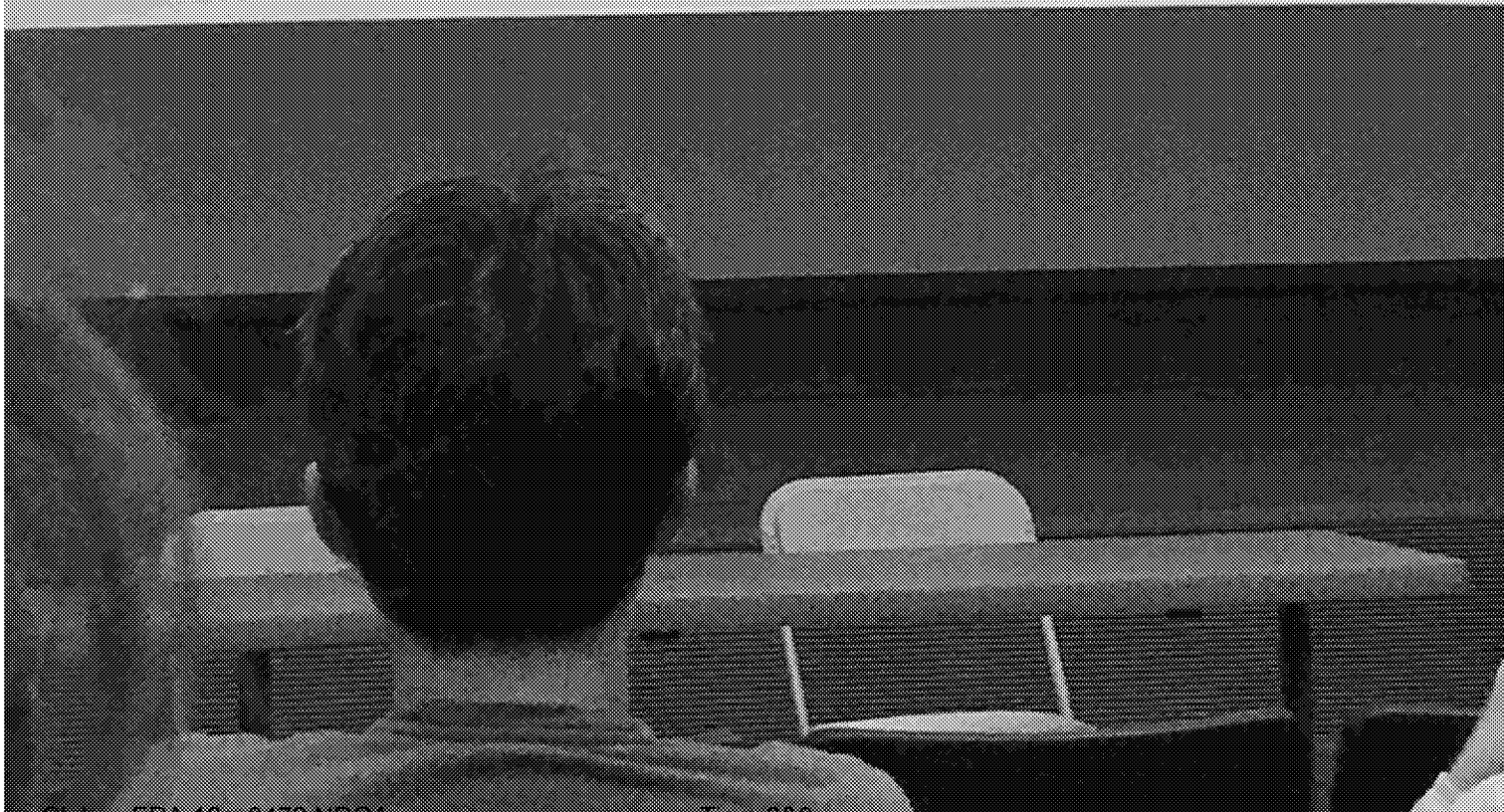
Jane DeMarchi  
VP, Government and Regulatory Affairs  
American Seed Trade Association  
Ex. 6 (office)  
Ex. 6 (cell)



# ***Assessing Gene-Edited Products***

- The degree of editing of the DNA sequence of a gene does not necessarily influence the pesticidal nature of the product
- Knockouts could still be considered as PIPs depending on claim made and intent of product (e.g., disease resistance)
- PIPs would need to be specifically exempted from FIFRA through rule-making in order to bypass regulation
  - Rule-making process is necessary to exempt products through regulation; requires inter-agency review and comment periods

United States Environmental Protection Agency



Message

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**From:** Dimitri.Karakitsos@hklaw.com [Dimitri.Karakitsos@hklaw.com]  
**Sent:** 5/18/2017 3:11:57 AM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: Meeting follow-up  
  
**Flag:** Flag for follow up

Actually folks suggested it might be easier if we came in to discuss rather than a call. Would that work on your end? Either way call or in person I can check on Wednesday am.

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Wednesday, May 17, 2017 6:41 PM  
**To:** Karakitsos, Dimitrios J (WAS - X75132) <Dimitri.Karakitsos@hklaw.com>  
**Subject:** RE: Meeting follow-up

Hi Dimitri,

Thanks for coming in. Yes, a call next week would be helpful as it would be good to know which are the PMNs of concern.

Wednesday morning?

Thanks,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** [Dimitri.Karakitsos@hklaw.com](mailto:Dimitri.Karakitsos@hklaw.com) [mailto:[Dimitri.Karakitsos@hklaw.com](mailto:Dimitri.Karakitsos@hklaw.com)]  
**Sent:** Wednesday, May 17, 2017 11:52 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** Meeting follow-up

Nancy,

Good seeing you on Monday. Any chance we can arrange a call early next week to provide you with some supplemental information?

Thanks and if you would like to discuss my direct line is on this email and my cell is

**Ex. 6**

Thanks,

Dimitri

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

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Message

---

**From:** Musso, Michael P. [Michael.Musso@hdrinc.com]  
**Sent:** 5/15/2018 6:23:11 PM  
**To:** Chiu, Weihsueh A [wchiu@cvm.tamu.edu]; drsg-l@indiana.edu  
**CC:** terje.aven@uis.no; Margaret MacDonell [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usere705e15d]  
**Subject:** [DRSG] RE: FYI - comment on proposed EPA rule "Strengthening Transparency in Regulatory Science"

Thank You, Weihsueh. Excellent letter.

**Michael P. Musso, M.S., MPH, P.E. (NY)**

D **Ex. 6** M **Ex. 6**

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

---

**From:** Chiu, Weihsueh A [mailto:wchiu@cvm.tamu.edu]  
**Sent:** Tuesday, May 15, 2018 10:24 AM  
**To:** drsg-l@indiana.edu  
**Cc:** terje.aven@uis.no; macdonell@anl.gov  
**Subject:** [DRSG] FYI - comment on proposed EPA rule "Strengthening Transparency in Regulatory Science"  
**Importance:** High

Dear DRSG Members,

I am planning on submitting the attached public comment on EPA's proposed rule "Strengthening Transparency in Regulatory Science." Specifically, the Proposed Rule inaccurately suggests that the DRSG has official policies or recommendations on this topic. The comment is simply for EPA to remove reference to the DRSG from the final rule.

Let me know if you have any concerns or comments by the end of the week (Sunday 5/20). Thanks!

Regards,  
Weihsueh

---

Weihsueh A. Chiu, PhD  
Professor, Veterinary Integrative Biosciences  
College of Veterinary Medicine and Biomedical Sciences  
Texas A&M University  
4458 TAMU  
College Station, TX 77843-4458  
[wchiu@cvm.tamu.edu](mailto:wchiu@cvm.tamu.edu)

Message

---

**From:** Jane DeMarchi [jdemarchi@betterseed.org]  
**Sent:** 5/9/2018 8:51:11 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**Subject:** Request for Meeting

Dear Ms. Beck:

We are surprised and disappointed that EPA has chosen to publicly take a position on new plant breeding techniques via a public meeting in Iowa today. New plant breeding techniques, such as CRISPR/Cas and TALEN, essentially mimic conventional breeding methods in use for decades as well as breeding that occurs in nature.

We would like to request a meeting with you at your earliest convenience to discuss EPA's planned policy approach which appears to be at odds with USDA's recently announced approach. In addition to our organization, the American Seed Trade Association, we hope to include BIO, National Corn Growers Association, American Soybean Association, American Farm Bureau Federation, United Fresh Produce and the Produce Marketing Association in our meeting.

ASTA had a meeting scheduled with EPA staff including Rick Keigwin and Bob McNalley on May 17th at 1:00 pm to discuss this subject so it was something of a shock to see that it appears that significant decisions have already been made.

We greatly appreciate your taking the time to meet with us.



Jane DeMarchi  
VP, Government and Regulatory Affairs  
American Seed Trade Association  
Ex. 6 (office)  
Ex. 6 (cell)

Message

**From:** National Pest Management Association [npma@pestworld.org]  
**Sent:** 3/21/2018 7:30:32 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** Thank You For Making Legislative Day 2018 a Success!

[Click here to view this Email in a browser](#)

**THANK YOU FOR MAKING LEGISLATIVE DAY  
2018 A SUCCESS!**

Thank you for attending NPMA Legislative Day in Washington D.C., we hope the speakers, sessions and networking opportunities met your needs and fulfilled your expectations.

We are looking for your valuable feedback. Please take a moment to complete the following two-question survey.



**TAKE THE SURVEY.**



### CAPITOL HILL VISIT FOLLOW UP

Thank you to those who visited with your Senate and Congressional offices on Tuesday. If you have not already done so, please take a moment and **email Andrew Bray**, NPMA's VP of Public Policy, with any important information related to your Hill visits during Legislative Day.

Thank you again for your participation at this year's event! Mark your calendars for Legislative Day 2019, February 24-26 in Washington, D.C.



**NPMA WOULD LIKE TO THANK OUR VALUABLE SPONSORS FOR THEIR  
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Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 3/1/2018 8:39:15 PM  
**To:** Sarah Amick [samick@ustires.org]  
**CC:** Bertrand, Charlotte [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f044d768e05842e1b75321ff6010e1b8-Bertrand, Charlotte]; Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**Subject:** Re: Meeting request

Sarah,  
Thanks for reaching out. Learning more about your proposal sounds great. I'm looping in Derrick to see if he can find a window that works.  
Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
**Ex. 6**  
[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)

On Mar 1, 2018, at 2:46 PM, Sarah Amick <[samick@ustires.org](mailto:samick@ustires.org)> wrote:

Dear Acting Principal Deputy Assistant Administrator Bertrand,

I am writing to request a meeting with you and your staff on behalf of five downstream trade associations the American Forest & Paper Association, Plastics Industry Association, Motor & Equipment Manufacturers Association, Toy Association, Inc., and the U.S. Tire Manufacturers Association.

We welcome the opportunity to meet with EPA to review issues raised in our comments on EPA's "Approaches for Identifying Potential Candidates for Prioritization for Risk Evaluation under Amended T SCA" (Please see attached comments to docket ID number EPA-HQ-OPPT-20170586). In these comments we recommended that EPA set up a voluntary information outreach framework for downstream chemical users to voluntarily share information on materials with the agency on substances used in products. As downstream manufacturers we have valuable information on the use of chemicals in products and we would like to discuss with the agency opportunities to share information with the agency.

We have coordinated with our group to identify our availability for a meeting with agency. Below are two dates and times that work for us on these days:

- <!--[if !supportLists]--><!--[endif]-->March 20<sup>th</sup> – 3pm – 4pm
- <!--[if !supportLists]--><!--[endif]-->March 22<sup>nd</sup> – anytime between Noon and 5pm

I look forward to hearing from you.

Best regards,

SARAH E. AMICK

Vice President EHS&S and Senior Counsel

Ex. 6

1400 K Street, NW #900 • Washington, DC 20005

[@USTireAssoc](#) • [USTires.org](#)

<image001.png>

***\*\*Please update your records! Our name, emails and domain have changed.\*\****

<Comments to Docket Id No. EPA-HQ-OPPT-2017-0586.pdf>

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 2/2/2018 7:39:28 PM  
**To:** Sean Hays [shays@scipinion.com]  
**Subject:** Re: Call today?

Coming....

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: **Ex. 6**  
[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)

On Feb 2, 2018, at 2:38 PM, Sean Hays <[shays@scipinion.com](mailto:shays@scipinion.com)> wrote:

Nancy,

Are we still on for a call today? We are on the line, but we don't hear anyone else.

Best regards,

Sean

Sean Hays  
President  
SciPinion, LLC  
**Ex. 6**  
[shays@scipinion.com](mailto:shays@scipinion.com)



Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 11/1/2017 2:04:41 PM  
**To:** Cindy Smith [csmith@gowanco.com]  
**Subject:** RE: PPDC

Thanks Cindy!

It was nice to see you in the audience. I hope the meeting goes well. I will be back tomorrow morning.

Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Cindy Smith [mailto:csmith@gowanco.com]  
**Sent:** Wednesday, November 1, 2017 9:49 AM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** PPDC

Really appreciated your opening comments this morning on use of science, your background and experiences in 4 administrations and support for good government. You had to go before I could thank you in person so wanted to send you this note. Have a great day and thank you for all you are doing you have a lot on your plate.

Cindy Smith  
Gowan  
Agricultural Relations Director

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 9/6/2017 8:28:32 PM  
**To:** Joe O'Donnell [joe@iwpawood.org]  
**CC:** Cindy Squires [cindy@iwpawood.org]; Mottley, Tanya [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33a000296a364b0dad31fb9aaa34605d-Mottley, Tanya]  
**Subject:** RE: letter of invitation - IWPA Board and Member Meeting

Tanya is cc'd on the email chain and she is the best person for you to work with.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]  
**Sent:** Wednesday, September 6, 2017 4:17 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Cindy Squires <cindy@iwpawood.org>; Mottley, Tanya <Mottley.Tanya@epa.gov>  
**Subject:** RE: letter of invitation - IWPA Board and Member Meeting

Nancy,

Absolutely. We've been chatting with Erik Winchester about whether he could attend. We understand he has a medical procedure scheduled for Monday and his attendance Tuesday isn't 100% assured. If your staff could help us nail down a backup in case he can't make it that would be ideal!

Sincerely,  
Joe

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Wednesday, September 6, 2017 4:10 PM  
**To:** Joe O'Donnell <joe@iwpawood.org>  
**Cc:** Cindy Squires <cindy@iwpawood.org>; Mottley, Tanya <Mottley.Tanya@epa.gov>  
**Subject:** RE: letter of invitation - IWPA Board and Member Meeting

Joe,  
Thanks for keeping me in mind, but its just too crazy a time for me to step away. If you would like, we can see if one of our Formaldehyde experts is available.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator, OCSPP

P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]

**Sent:** Wednesday, September 6, 2017 2:37 PM

**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>; Mottley, Tanya <[Mottley.Tanya@epa.gov](mailto:Mottley.Tanya@epa.gov)>

**Subject:** RE: letter of invitation - IWPA Board and Member Meeting

Hi Nancy, we wanted to check in to see if you'll be able to make in on Tuesday. Please let me know if you need anything more from our end.

Sincerely,  
Joe

---

**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]

**Sent:** Monday, July 10, 2017 2:09 PM

**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>; Mottley, Tanya <[Mottley.Tanya@epa.gov](mailto:Mottley.Tanya@epa.gov)>

**Subject:** RE: letter of invitation - IWPA Board and Member Meeting

Joe,  
Thank you for the invitation. I'm leery about overcommitting myself to too many events in September as we will likely be very busy with the budget. However, if I'm unable to join I'm sure we can get someone more informed that is working on the formaldehyde rules to join you.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator, OCSPP

P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]

**Sent:** Wednesday, July 5, 2017 3:43 PM

**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** letter of invitation - IWPA Board and Member Meeting

Nancy, please find attached a letter from Cindy Squires inviting you to participate in an issue briefing we will be holding as part of IWPA's Board and Member Meeting on Tuesday, September 12<sup>th</sup>.

Let us know if you have any questions. We hope you are able to join us!

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, VA 22302

**Ex. 6**

Fax: (703) 820-8550

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 8/30/2017 8:44:06 PM  
**To:** Cindy Squires [cindy@iwpawood.org]  
**CC:** Courtnage, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0178328a90b644929cc8981cf34f5fad-RCourtna]; Winchester, Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83262ec17cfa43f3bac66c8513641712-Winchester, Erik]; Joe O'Donnell [joe@iwpawood.org]; Jackson Morrill [JMorrill@cpamail.org]; Avivah Jakob (Jakob.Avivah@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ca1aecd941984ff2939fe77425b0e2f3-Jakob, Avivah]; Schmit, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7077ecbac4914a00ad465398f92bbe78-Schmit, Ryan]  
**Subject:** RE: Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date  
**Attachments:** FWICresponseAug302017pdf.pdf

Cindy,

Please see the attached letter which responds to your concerns. I believe IWPA was cc'd on this.  
If you still have questions, please feel free to contact Erik or myself.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Cindy Squires [mailto:cindy@iwpawood.org]  
**Sent:** Tuesday, August 8, 2017 3:47 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Winchester, Erik <Winchester.Erik@epa.gov>; Joe O'Donnell <joe@iwpawood.org>  
**Subject:** Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date

Thank you for putting out the notice today on the early voluntary labeling. This is much appreciated!

As you can expect this has led to many questions specifically in light of the fact that without a fix to the ability to use a small chamber test to correlate most will not be able to take advantage of the early labeling provision. This concern will be improved first by immediately putting out the final rule extending the effective date of the rule and second by EPA announcing guidance allowing for the small chamber test.

**Can you tell me when we will get guidance on the small chamber test issue?**

As you know the industry asked for the following relief:

FWIC respectfully requests that this problem be addressed immediately. We reiterate the recommendation of CPA that EPA issue the following clarification by way of guidance or interpretation:

For purposes of Section 770.20(d)(2)(i), correlation of quality control test results may also be shown through use of equivalent D-6007 test results as the independent variable (X-axis).

We submit that informal guidance is well within the authority of the Agency given the ambiguity in the final rule. Such expedited action will bring clarity and certainty to the regulated community. We know of no opposition to our proposed interpretation.

This clarification could and should also be later embodied in a “technical correction” amendment to the Regulation which we understand is currently being evaluated to address updated test and standard references and other minor matters. We recommend the following amendment language to Section 770.20(d)(2)(i) for this purpose:

The correlation must be based on a minimum sample size of five data pairs and a simple linear regression where the dependent variable (Y-axis) is the quality control test value and the independent variable (X-axis) is the ASTM E-1333-10 test value or the equivalent ASTM D-6007 test value. Either composite wood products or formaldehyde emissions reference materials can be used to establish the correlation.

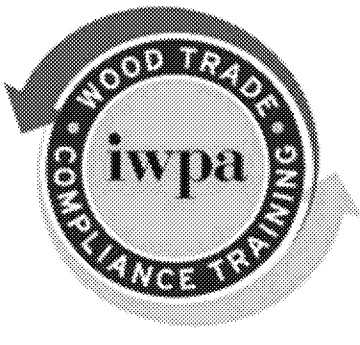
Thanks!

Cindy

Cindy Squires, Esq.  
Executive Director  
International Wood Products Association

**Ex. 6**

Slots for IWPA's Wood Trade Compliance Training are filling up fast! Reserve your spot.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Jackson Morrill  
Federal Wood Industries Coalition  
c/o Composite Panel Association  
19465 Deerfield Avenue, Suite 306  
Leesburg, VA 20176

AUG 30 2017

Dear Mr. Morrill: *Jackson*

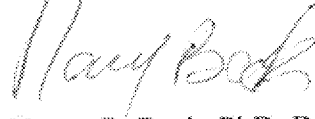
Thank you for your August 9, 2017, letter to the U.S. Environmental Protection Agency, regarding the Formaldehyde Emission Standards for Composite Wood Products final rule, which published on December 12, 2016 (81 FR 89674), pursuant to Toxic Substances Control Act Title VI (15 U.S.C. § 2697). In particular, you mentioned potential burdens associated with correlation testing using an ASTM E1333 large chamber method.

The EPA also acknowledges receipt of the referenced July 26, 2017, Composite Panel Association *Request for Interpretation* letter submitted via email by Mr. Jackson Morrill to the TSCA Title VI program office regarding the correlation testing issue. The EPA appreciates the detailed information and highlighted ramifications that would be endured by industry should the EPA not address this issue.

The EPA understands your concern and intends to pursue rulemaking, with an opportunity for public comment, to expressly allow tests conducted through the quality control methods listed in 40 CFR § 770.20(b) to be correlated to either ASTM E1333-14 or, upon a showing of equivalence, ASTM D6007-14 test chamber tests in 40 CFR § 770.20(d)(2)(i). This action aligns with the California Air Resources Board policy which allows mill quality control tests to be correlated to ASTM D6007-14 test chambers under their airborne toxic control measure to reduce formaldehyde emissions from composite wood products. As such, the EPA has been developing a direct final rule to update several voluntary consensus standards published in the December 12, 2016, final rule and intends to consider this technical amendment as part of that action. The EPA also intends to publish a companion Notice of Proposed Rulemaking for the action, in parallel with the direct final rule. If the EPA receives no adverse comment on the proposed rule, then the direct final rule would become effective by its own terms. If the EPA receives adverse comment, then the agency would withdraw the direct final rule and proceed to consider and respond to comments on the proposed rule. Both direct final and proposed rules are anticipated to be published in the Federal Register in September 2017.

Again, thank you for your letter. If you have any questions, please contact Erik Winchester of my staff at **Ex. 6** or [winchester.erik@epa.gov](mailto:winchester.erik@epa.gov).

Sincerely,



Nancy B. Beck, PhD, DABT  
Deputy Assistant Administrator

Cc: American Chemistry Council  
American Coatings Association  
American Forest & Paper Association  
American Home Furnishings Alliance  
American Wood Council  
APA – the Engineered Wood Association  
Architectural Woodwork Institute  
Association of Woodworking & Furnishing Suppliers  
Business and Institutional Furniture Manufacturers Association  
Hardwood Plywood and Veneer Association  
HPVA Laboratories (CARB TPC-8)  
International Wood Products Association  
Kitchen Cabinet Manufacturers Association  
Moulding & Millwork Producers Association  
National Wood Flooring Association  
Wood Machinery Manufacturers of America



Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 7/17/2017 10:02:53 PM  
**To:** Gary Van Sickle [gary@specialtycrops.org]  
**Subject:** RE: CSCC Outreach Tour - Aug 7-10

Veggie would be great—white American on whole grain bread.

Thanks!

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: **Ex. 6**  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Gary Van Sickle [mailto:gary@specialtycrops.org]  
**Sent:** Monday, July 17, 2017 3:22 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** FW: CSCC Outreach Tour - Aug 7-10

Greetings Nancy,

For lunch on Thursday August 10, we get the Subway "To Go Meal Box". I need you to send me your lunch order.

The sandwich options are: Veggie Delite, Black Forest Ham, Cold Cut Combo or Spice Italian.  
The cheese options are: White American or Yellow American.

Please respond back to me with your sandwich type and cheese type.

Thanks,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council  
31831 Road 132  
Visalia, CA 93292  
Phone: **Ex. 6**  
Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
Website: <http://specialtycrops.org>

Message

**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 6/22/2017 10:14:52 PM  
**To:** Moore, Autumn [AMoore@toyassociation.org]  
**CC:** Marshall, Venus [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dbd81a18f6ad447f90b8abbcb90fe9db-Venus Ashton]  
**Subject:** RE: Meeting Request for The Toy Association

Ha! Vacation? Now the implementation work starts!

July 11<sup>th</sup> I will be at the toxicology forum meeting, but Venus should be able to help us find another window for a 30 minute meeting. I've cc'd Venus so you will have her email.

I look forward to catching up.

Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Moore, Autumn [mailto:AMoore@toyassociation.org]  
**Sent:** Thursday, June 22, 2017 1:02 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** 'Marrapese, Martha' <MMarrapese@wileyrein.com>  
**Subject:** Meeting Request for The Toy Association

Dr. Beck,

HAPPY ANNIVERSARY of LCSA PASSAGE! I hope you're planning a nice, long vacation after today.

I was writing to try and schedule a meeting with you to go over the myriad of regulations toys are currently subject to, to help inform you going forward as you and your team develop new chemical requirements. When you do come back from your assumed vacation, when would be a good time to meet? Should we look to after July 4<sup>th</sup> sometime? Say July 11<sup>th</sup>?

Looking forward to meeting.

Best,  
Autumn



**Autumn Moore**  
*Manager, Standards and Regulatory Affairs*

1200 G Street NW • Suite 200 • Washington, DC 20005  
**Ex. 6** f. 202.459.0440  
e. [amoore@toyassociation.org](mailto:amoore@toyassociation.org) • w. [www.toyassociation.org](http://www.toyassociation.org)

Follow us on:    

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 8/3/2017 9:32:53 PM  
**To:** Joe O'Donnell [joe@iwpawood.org]  
**Subject:** RE: can you let us know once you've determined whether you received adverse comments on labeling relief DFR?

Joe,  
As best as we can tell there is nothing in the docket but we are still closing some final loops on the snail mail to see if we received any comments.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]  
**Sent:** Thursday, August 3, 2017 1:44 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** FW: can you let us know once you've determined whether you received adverse comments on labeling relief DFR?

Hi Nancy, has your team had a chance to examine the public comments on the labeling relief DFR to determine whether any would be considered adverse? I reached out to Erik (below) but I understand he's out of the office for a while.

Thanks!  
Joe

---

**From:** Joe O'Donnell  
**Sent:** Monday, July 31, 2017 12:23 PM  
**To:** 'Winchester, Erik' <Winchester.Erik@epa.gov>  
**Subject:** can you let us know once you've determined whether you received adverse comments on labeling relief DFR?

Thanks!

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, VA 22302

**Ex. 6**

Fax: (703) 820-8550

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 8/15/2017 3:28:57 PM  
**To:** Gary Van Sickle [gary@specialtycrops.org]  
**Subject:** RE: CSCC Outreach Tour  
**Attachments:** Evaluation FormResponse.docx

Gary,  
Responses attached.  
The tour had great value-added for me on many levels. Thanks to you and the entire time for pulling it together!

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Gary Van Sickle [mailto:gary@specialtycrops.org]  
**Sent:** Monday, August 14, 2017 2:53 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** CSCC Outreach Tour

Hi Nancy,

I hope you made it home safely. Attached is the evaluation form for the tour. I would appreciate it if you would complete and return to me.

As to our DC visit, we will be at the Crystal City Office on Wednesday October 18. We have an appoint with Rick Keigwin at 8:30 am. We will be in conference room 12100.

Thank you very much for taking time from your busy schedule to join on the tour this year. Greatly appreciated.

Regards,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council  
31831 Road 132  
Visalia, CA 93292  
Phone: Ex. 6  
Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)  
Website: <http://specialtycrops.org>

# 2017 California Specialty Crops Tour Evaluation

1. The tour content was helpful for my job. (circle one)

Not helpful

Helpful

Extremely helpful

0

1

2

3

4

5

6

7

8

9

10

2. One word that describes your experience on the 2017 Specialty Crops Tour:

interesting

3. Please complete the following sentences.

*The tour was beneficial to me in my job because...*

It helps me understand what farmers/growers actually deal with in the real world

*The most interesting/insightful thing on this tour was...*

Understanding pressures from the marketplace and understanding the hurdles/burdens for growers in California

*As a result of this educational event, I want to...*

- 1) Do additional crop tours in other states
- 2) Make sure Gary is aware of the need for more bathroom breaks on the next tour!

*The most surprising thing(s) about CA agriculture I have learned the past three days was...*

How underappreciated the industry appears to be by the California legislature.

4. Yes/No As a result of this tour I will enjoy more fruits, nuts and vegetables! Yes / No ☺

5. Please circle what agency/org you are with:

EPA

IR-4

CDFA

CDPR

CVRWB

University

USDA

Other

***Thanks for your comments and also for attending! Safe travels...***

Message

---

**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 7/25/2017 9:28:39 PM  
**To:** Joe O'Donnell [joe@iwpawood.org]  
**CC:** Cindy Squires [cindy@iwpawood.org]  
**Subject:** RE: Formaldehyde rule lab correlation issue

Thanks for checking in Joe. I owe Jackson a call back. Its on my list.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]  
**Sent:** Tuesday, July 25, 2017 3:35 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Cindy Squires <cindy@iwpawood.org>  
**Subject:** Formaldehyde rule lab correlation issue

Hi Nancy, I understand you've heard from Jackson Morrill at the Composite Panel Association on this issue but I just wanted to give you a heads up that IWPA, CPA, and the other members of our Federal Wood Industry Coalition are working closely together to find a way forward. If not addressed, it could have a huge impact on supply chains.

We're all putting our heads together and we'll follow up with you and your staff shortly.

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, VA 22302

**Ex. 6**

Fax: (703) 820-8550

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 6/22/2017 5:57:36 PM  
**To:** Gary Van Sickle [gary@specialtycrops.org]  
**Subject:** RE: CA Specialty Crops Council's Annual Outreach Tour Aug 7-11  
**Attachments:** BeckLiabilityWaiver.pdf

Please see attached.  
Many thanks!  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Gary Van Sickle [mailto:gary@specialtycrops.org]  
**Sent:** Wednesday, June 21, 2017 7:07 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>; Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>; Hook, James <Hook.James@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Mannix, Marianne <Mannix.Marianne@epa.gov>; Yozzo, Krystle <yozzo.krystle@epa.gov>  
**Cc:** Hogue, Joe <Hogue.Joe@epa.gov>  
**Subject:** CA Specialty Crops Council's Annual Outreach Tour Aug 7-11

Greetings:

We are a little over 6 weeks away from our tour kick-off/orientation dinner. We are pleased that all of you will be joining us in early August for our annual outreach tour. We have great visits lined up so you can learn more about agriculture in California.

Attached is a liability release form that I need each of you to complete and return to me. Please try to get the form back to me by June 30. In regards to dietary needs/restrictions, please indicate if you are vegetarian, so we can have alternative meals for you.

The following commodity groups compose the California Specialty Crops Council and are the hosts for this annual tour: CA Cherry Board, CA Dried Plum Board, CA Fresh Carrot Advisory Board, CA Garlic and Onion Research Advisory Board, CA Leafy Greens Research Program, CA Melon Research Board, CA Pear Advisory Board, CA Pepper Commission and the CA State Beekeepers Association.

If you have any questions regarding the tour please contact me.

Regards,  
Gary

Gary W. Van Sickle  
Executive Director  
California Specialty Crops Council

31831 Road 132

Visalia, CA 93292

Phone: Ex. 6

Email: [gary@specialtycrops.org](mailto:gary@specialtycrops.org)

Website: <http://specialtycrops.org>



# Mandatory Participant Info- 2017 CA Specialty Crops Tour

Please complete, scan and email back to [gary@specialtycrops.org](mailto:gary@specialtycrops.org) by June 30

Last Name:	Beck
First Name:	NANCY
Agency:	EPA
Division/Group/etc.:	OCSPP
Title:	Deputy Assistant Administrator
Street:	1201 E. Constitution St NW
City/State/ ZIP	Washington DC 20004
Phone:	Ex. 6
E-mail:	beck.nancy@epa.gov
Years in Present Position:	2 months
Your Cell Phone Number:	Ex. 6
Emergency Contact Person:	David Beck
Relationship to you:	Ex. 6 Brother
Emergency Contact Phone Number:	Ex. 6
Dietary Needs/ Restrictions:	NONE
Any medical /physical/ etc. limitations:	NONE
Your Supervisor's Name:	Wendy Cleland-Hammitt
Supervisor's E-mail Address:	<del>Cleland.Hammitt@epa.gov</del> Cleland.Hammitt.Wendy@epa.gov
Supervisor's Phone Number:	Ex. 6

To the best of my knowledge, I am in good physical condition and fully able to participate in this tour. I am fully aware of the risks and hazards connected with the participation in this event, including physical injury or even death, and hereby elect to voluntarily participate in said event, knowing that the associated physical activity may be hazardous to me and my property.

I VOLUNTARILY ASSUME FULL RESPONSIBILITY FOR ANY RISKS OR LOSS, PROPERTY DAMAGE, OR PERSONAL INJURY, INCLUDING DEATH, that may be sustained by me, or loss or damage to property owned by me, as a result of participation in this tour.

In signing this release, I acknowledge and represent that I HAVE READ THE FORGOING Waiver of Liability and Hold Harmless Agreement, UNDERSTAND IT AND SIGN IT VOLUNTARILY.

Signature

Date

6-22-17

Message

---

**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 6/23/2017 3:47:52 PM  
**To:** Joe O'Donnell [joe@iwpawood.org]  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Sounds good. Thank you.

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]  
**Sent:** Friday, June 23, 2017 11:45 AM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

That's perfect, Nancy. Let's do a call at 1:00pm. Betsy Natz from KCMA was also interested in joining so I suggest we do a conference call using our system. I know you all already have the docs we've submitted but I've attached them so you have them at hand during the call.

We'll keep it quick.

Conference Call Dial In Information

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Friday, June 23, 2017 11:37 AM  
**To:** Joe O'Donnell <joe@iwpawood.org>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Sounds good. I have a call at 1:30 but 1pm will work. Shall we do this by phone?

Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [mailto:joe@iwpawood.org]  
**Sent:** Friday, June 23, 2017 9:50 AM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Nancy, how about 12:30 or 1:00pm? You pick.

We'll make it very brief we just want to let you know where we are on the outstanding issues.

Sincerely,  
Joe

---

**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]  
**Sent:** Thursday, June 22, 2017 1:47 PM  
**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
We could find a 30 minute tomorrow between 11-2 or after 3:30.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]  
**Sent:** Monday, June 19, 2017 11:38 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

If this Friday doesn't end up working (maybe let us know if your travel is cancelled), could you do Monday the 26<sup>th</sup> or Friday the 30<sup>th</sup>, preferably in the morning?

Thanks!  
Joe

---

**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]  
**Sent:** Thursday, June 15, 2017 7:00 PM  
**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
I may be travelling Friday but likely wont know til next Tuesday.  
Hows about the week of the 27<sup>th</sup>? Or if its easier after July 4<sup>th</sup>?

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]

**Sent:** Wednesday, June 14, 2017 3:49 PM

**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Unfortunately Betsy from KCMA has a meeting back in Reston late Friday so she can't do later Friday afternoon.

How about next Friday, June 23<sup>rd</sup> at 11:00am or Noon?

Best,  
Joe

---

**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]

**Sent:** Tuesday, June 13, 2017 6:30 PM

**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
I have a conflict at 1pm. Do you have a window between 2-4pm?

Nancy

---

Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator, OCSPP

P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]

**Sent:** Tuesday, June 13, 2017 1:50 PM

**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Thanks, Nancy. Could you do this Friday at 1pm?

Sincerely,  
Joe

---

**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]

**Sent:** Wednesday, June 7, 2017 11:32 AM

**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Joe,  
We are quite distracted right now trying to get everything done to meet our June 22 TSCA deadlines. Thus the calendar is a bit crazy.  
We could try for a 30 minute meeting if that works. It seems a Friday may be best.

Regards,  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]  
**Sent:** Tuesday, June 6, 2017 3:37 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Hi Nancy, I wanted to follow up in the e-mail below. Our industry group is interested in briefing you on the outstanding issues with the formaldehyde rule and our thoughts about the best way to address them.

If tomorrow doesn't work I'm happy to work with you to find a day and time that will!

Sincerely,  
Joe

---

**From:** Joe O'Donnell  
**Sent:** Thursday, June 1, 2017 4:49 PM  
**To:** 'Dravis, Samantha' <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>  
**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Samantha and Nancy,

Our joint industry group (International Wood Products Association, Kitchen Cabinet Manufacturers Association, American Home Furnishings Alliance, National Retail Federation, Retail Industry Leaders Association, and the Recreational Vehicles Industry Association) is interested in meeting with you to discuss our priorities for regulatory reform, especially with respect to the Formaldehyde Emission Standards for Composite Wood Products regulation.

As you know, EPA has issued a direct final rule with respect to the effective date and compliance timeline issue and we understand that additional changes are expected to be released soon. A meeting would allow us to brief you on how a few other common sense reforms would ease the regulatory burden on U.S. manufacturers in our industries and free up resources for growth and job creation.

If it works for you, we suggest Wednesday, June 7<sup>th</sup> at 3:00pm.

Please don't hesitate to contact Cindy or me with any questions you have.

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager, Government and Public Affairs  
International Wood Products Association  
4214 King Street

Alexandria, VA 22302

**Ex. 6**

Fax: (703) 820-8550

---

**From:** Dravis, Samantha [<mailto:dravis.samantha@epa.gov>]

**Sent:** Friday, May 12, 2017 2:41 PM

**To:** Joe O'Donnell <[joe@iwpawood.org](mailto:joe@iwpawood.org)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Cleland-Hamnett, Wendy <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>; Winchester, Erik <[Winchester.Erik@epa.gov](mailto:Winchester.Erik@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** RE: new joint industry submission on import declaration provisions of the formaldehyde rule

Thank you.

---

**From:** Joe O'Donnell [<mailto:joe@iwpawood.org>]

**Sent:** Friday, May 12, 2017 11:10 AM

**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Cleland-Hamnett, Wendy <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>; Winchester, Erik <[Winchester.Erik@epa.gov](mailto:Winchester.Erik@epa.gov)>

**Cc:** Cindy Squires <[cindy@iwpawood.org](mailto:cindy@iwpawood.org)>

**Subject:** new joint industry submission on import declaration provisions of the formaldehyde rule

Friends, in addition to submission through Regulations.gov, we wanted to share with you a copy of the joint industry comments we prepared along with the American Home Furnishings Alliance, the Kitchen Cabinet Manufacturers Association, the Recreational Vehicle Industry Association, and the Retail Industry Leaders Association expressing our concerns about the import declaration provision of the Formaldehyde Emission Standards for Composite Wood Products regulation.

For reference I have also included the broader document that outlines our shared concerns about additional aspects of the regulation as well as a letter we had previously sent to Administrator Pruitt concerning the effective date and compliance timeline issue.

If you have questions about any of these matters please do not hesitate to reach out to Cindy or me.

Sincerely,  
Joe

Joseph L. O'Donnell  
Senior Manager of Government and Public Affairs  
International Wood Products Association  
4214 King Street  
Alexandria, Virginia 22302

**Ex. 6**

Fax: (703) 820-8550

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 5/23/2017 3:34:39 PM  
**To:** Dimitri.Karakitsos@hklaw.com  
**Subject:** RE: Meeting follow-up

Ok. Thanks.

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Dimitri.Karakitsos@hklaw.com [mailto:Dimitri.Karakitsos@hklaw.com]  
**Sent:** Tuesday, May 23, 2017 10:44 AM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** RE: Meeting follow-up

I believe they only have one order now (for the three intermediates), the other could possibly come June 6. It is still being reviewed internally but the technical folks haven't raised any issues.

**Dimitrios Karakitsos | Holland & Knight**

Partner  
Holland & Knight LLP  
800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

[dimitri.karakitsos@hklaw.com](mailto:dimitri.karakitsos@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

[Add to address book](#) | [View professional biography](#)

---

**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Tuesday, May 23, 2017 7:16 AM  
**To:** Karakitsos, Dimitrios J (WAS - X75132) <Dimitri.Karakitsos@hklaw.com>  
**Subject:** Re: Meeting follow-up

Dimitri,  
Thanks. I will look into these. Do you know if Chemours has any concerns with the 2 consent orders?

Nancy.

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)

On May 22, 2017, at 11:17 PM, "[Dimitri.Karakitsos@hklaw.com](mailto:Dimitri.Karakitsos@hklaw.com)" <[Dimitri.Karakitsos@hklaw.com](mailto:Dimitri.Karakitsos@hklaw.com)> wrote:

Hi Nancy,

Here is the information I was provided on the PMNs. Please let me know when and how would make the most sense to discuss.

Thanks

Five PMNs for fluoropolymer lubricant products as follows:

**CBI / Ex. 4**

A face-to-face meeting has been scheduled during the last week for June 6th with the Agency to discuss these 5 PMNs.

Three PMNs for intermediates in a new manufacturing process for making the new refrigerants:

**CBI / Ex. 4**

Chemours received a revised consent order today from the Agency for these three PMN/SNUNs.

(another company filed PMNs on two of the same substances. Their PMN review process finished prior to the completion of ours. EPA published a SNUR which required Chemours to submit the two SNUNs (Our **CBI / Ex. 4**) So our consent order is to **CBI / Ex. 4**

**CBI / Ex. 4**

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

dimitri.karakitsos@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

**From:** Beck, Nancy [<mailto:Beck.Nancy@epa.gov>]

**Sent:** Wednesday, May 17, 2017 6:41 PM

**To:** Karakitsos, Dimitrios J (WAS - X75132) <[Dimitri.Karakitsos@hklaw.com](mailto:Dimitri.Karakitsos@hklaw.com)>

**Subject:** RE: Meeting follow-up

Hi Dimitri,

Thanks for coming in. Yes, a call next week would be helpful as it would be good to know which are the PMNs of concern.

Wednesday morning?

Thanks,

Nancy



---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** [Dimitri.Karakitsos@hklaw.com](mailto:Dimitri.Karakitsos@hklaw.com) [mailto:[Dimitri.Karakitsos@hklaw.com](mailto:Dimitri.Karakitsos@hklaw.com)]

**Sent:** Wednesday, May 17, 2017 11:52 AM

**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>

**Subject:** Meeting follow-up

Nancy,

Good seeing you on Monday. Any chance we can arrange a call early next week to provide you with some supplemental information?

Thanks and if you would like to discuss my direct line is on this email and my cell is

**Ex. 6**

Thanks,

Dimitri

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

[dimitri.karakitsos@hklaw.com](mailto:dimitri.karakitsos@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

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Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 6/7/2017 9:15:34 PM  
**To:** Dimitri.Karakitsos@hklaw.com  
**Subject:** voice mail

Dimitri,  
I'm told your voice mail is full and cannot accept messages. Let me know a good time to followup from the meeting that was yesterday.

Thanks.

\*\*\*\*\*

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 6/21/2017 10:22:47 PM  
**To:** Dimitri.Karakitsos@hklaw.com  
**Subject:** RE: FYI on Chemours

Thanks Dimitri.

We saw this yesterday. Will surely let you know if there are questions.

Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Dimitri.Karakitsos@hklaw.com [mailto:Dimitri.Karakitsos@hklaw.com]  
**Sent:** Wednesday, June 21, 2017 5:46 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** FYI on Chemours

Let me know if you have any questions or if there is anything we can provide.

**Dimitrios Karakitsos | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

**Ex. 6**

Fax 202.955.5564

[dimitri.karakitsos@hklaw.com](mailto:dimitri.karakitsos@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

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Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 5/10/2018 10:52:47 AM  
**To:** Jane DeMarchi [jdemarchi@betterseed.org]  
**CC:** Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**Subject:** Re: Request for Meeting

Jane,  
I'm not sure what happened to cause confusion but I can assure you we have not taken a position and did not intend to take any positions in Iowa yesterday.  
Derrick can assist in finding time for us to chat.

Regards,  
Nancy.

\*\*\*\*\*

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
P: 202-564-1273  
M: Ex. 6  
beck.nancy@epa.gov

On May 9, 2018, at 4:51 PM, Jane DeMarchi <jdemarchi@betterseed.org> wrote:

Dear Ms. Beck:

We are surprised and disappointed that EPA has chosen to publicly take a position on new plant breeding techniques via a public meeting in Iowa today. New plant breeding techniques, such as CRISPR/Cas and TALEN, essentially mimic conventional breeding methods in use for decades as well as breeding that occurs in nature.

We would like to request a meeting with you at your earliest convenience to discuss EPA's planned policy approach which appears to be at odds with USDA's recently announced approach. In addition to our organization, the American Seed Trade Association, we hope to include BIO, National Corn Growers Association, American Soybean Association, American Farm Bureau Federation, United Fresh Produce and the Produce Marketing Association in our meeting.

ASTA had a meeting scheduled with EPA staff including Rick Keigwin and Bob McNalley on May 17th at 1:00 pm to discuss this subject so it was something of a shock to see that it appears that significant decisions have already been made.

We greatly appreciate your taking the time to meet with us.

<image001.png>  
**Check out ASTA's new website!**  
[www.betterseed.org](http://www.betterseed.org)

Jane DeMarchi  
VP, Government and Regulatory Affairs  
American Seed Trade Association

Ex. 6 (office)  
Ex. 6 (cell)

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 3/27/2018 11:29:21 PM  
**To:** Darren Van Steenwyk, M.S., BCE [darrenv@clarkpest.com]  
**CC:** abray@pestworld.org  
**Subject:** RE: SF Bay Area ESA Injunction

Darren,

I've done a little digging and the lawyers have enlightened me. It appears to them that the measures are going to remain in place for the foreseeable future.

The consent decree in the SF Bay case calls for measures to stay in place pending completion of consultation on the effects of over 70 pesticides on 11 Bay Area species. The agreement was amended as part of the Grand Bargain in 2015 with EPA agreeing to nationwide BEs on 4 herbicides in lieu of completing Bay Area species assessments for the final 16 of the 70-plus pesticides in the case. Those nationwide BEs are due in June 2020. The FWS BiOps for those 4 pesticides are due in 2022. There is no schedule for completing BIOPs for the over 50 pesticides for which EPA's Bay Area assessments were completed.

I hope this is helpful.

Regards,

Nancy

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Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

**Ex. 6**

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Darren Van Steenwyk, M.S., BCE [mailto:darrenv@clarkpest.com]  
**Sent:** Wednesday, March 21, 2018 2:34 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** abray@pestworld.org  
**Subject:** SF Bay Area ESA Injunction

Nancy,

I wanted to thank you for speaking at the National Pest Management Association Legislative Days event this week. It was enlightening for us to hear your perspective on some of these issues that we discussed.

I mentioned to you what the status of the ESA Injunction in the SF Bay Area was based on the conversations that the EPA is having with the Services. If you could please follow on this conversation and let us know if/how this lawsuit is progressing and if these interim use restrictions are still in place, that would help us as industry. We, as a company, work very diligently to comply with these restrictions and use limitations but they are not in place any longer then we would like to use the products in the manner in which their labels would allow us to. Thanks so much.

Here is the website that we use to reference the interim use restrictions and the maps that we reference to determine when and where we can apply these products.

<https://www.epa.gov/endangered-species/interim-use-limitations-eleven-threatened-or-endangered-species-san-francisco-bay#exceptions>

Darren Van Steenwyk, BCE  
Technical Director  
Clark Pest Control

**Ex. 6**

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 4/13/2018 7:48:00 PM  
**To:** Cindy Smith [csmith@gowanco.com]  
**Subject:** RE:

Thanks for the early notice!

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Cindy Smith [mailto:csmith@gowanco.com]  
**Sent:** Friday, April 13, 2018 3:33 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>; janet collins <jcollins@croplifeamerica.org>; Keigwin, Richard <Keigwin.Richard@epa.gov>  
**Subject:** RE:

All have a great weekend. I got back to Las Vegas – where a cold front came in and we are in the 60's –you guys will be warmer than us here in the desert!! I fear it is headed your way next week though so enjoy your good weather this weekend.

---

**From:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Sent:** Friday, April 13, 2018 11:53 AM  
**To:** janet collins <jcollins@croplifeamerica.org>; Keigwin, Richard <Keigwin.Richard@epa.gov>  
**Cc:** Cindy Smith <csmith@gowanco.com>  
**Subject:** RE:

Thanks for following up Janet.

Enjoy the beautiful warm and sunny weekend!  
Nancy

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Janet Collins [mailto:jcollins@croplifeamerica.org]  
**Sent:** Friday, April 13, 2018 2:13 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>  
**Cc:** csmith@gowanco.com  
**Subject:**

Dear Nancy and Rick- thank you for the time you dedicated to meeting with us on Wednesday morning.



During the meeting, we discussed the EPA consideration of the exposure information from the CHAMACOS study. We discussed that CHAMACOS did not report chlorpyrifos but did report on the oxons of chlorpyrifos. Attached please find a paper published in 2012 wherein you will note the authors statement (see last sentence in abstract) that oxons would not be in the peripheral tissues- thus, would not be present in the brain- brain function would not then be affected by oxons in the blood samples.

We welcome the opportunity to discuss this further, and likely will address that specific point when we provide the final study report that we have conducted to plot the data from the Columbia University study.

Thank you again.

My best

Janet E Collins, Ph.D., R.D.  
Executive Vice President, Science and Regulatory Affairs  
CropLife America  
1156 15<sup>th</sup> Street, NW; Suite 400  
Washington DC 20001

**Ex. 6** (direct)  
(mobile)

**From:** Druwe, Ingrid [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5FFCFA93D12D4D92A7ACD2730C889994-DRUWE, INGRID]  
**Sent:** 9/4/2018 3:41:19 PM  
**To:** drsg-l@indiana.edu  
**CC:** Jade Mitchell [jade@egr.msu.edu]; Ian Collins [Ian.Collins@ghd.com]; Ed Pfau [epfau@hullinc.com]; Rick Reiss [rreiss@exponent.com]; michael.musso@hdrinc.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8b52e049f50f4eb28346ed3701c627a9-michael.mus]; Dalaijamts, Chimeddulam [CDalaijamts@cvm.tamu.edu]; Davis, Allen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a8ecee8c29c54092b969e9547ea72596-Davis, Allen]; Barbara D. Beck [BBECK@gradientcorp.com]; Lorenz Rhomberg [lrhomberg@gradientcorp.com]; Woodall, George [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a617aad87171414a8b9fca5ce395a899-Woodall, George]; Haas, Charles [haas@drexel.edu]; Setzer, Woodrow [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=290e3e834a3c4269a441c13712fffc0c-Setzer, Rhyne]; Wout Slob [wout.slob@rivm.nl]; Chiu, Weihsueh [WChiu@cvm.tamu.edu]; Flowers, Lynn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a4411c874d041b9a8badfc32b91bd70-Flowers, Lynn]; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Schlosser, Paul [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=121cf759d94e4f08afde0ceb646e711b-Schlosser, Paul]; Gift, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=746b029cd80e437d9f62708c339a9ec8-Gift, Jeff]; Jarabek, Annie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8b1de54d48e1429c8129f6499211dbdb-Jarabek, Annie]; Berner, Ted [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1949c9653024d3cb4aa4c2bd69c4fde-Berner, Ted]; Lowney, Carrie A [carrie.a.lowney@zoetis.com]; Arno Swart [arno.swart@rivm.nl]; Gibson, Jacqueline MacDonald [jackie.macdonald@unc.edu]; Philip Goodrum [pgoodrum@integral-corp.com]; Kenneth Bogen [kbogen@exponent.com]; xly@bnu.edu.cn; Yeager, Raymond (Phil) [Raymond.Yeager@fda.hhs.gov]; Robinan Gentry [rgentry@ramboll.com]; Petersen, Dan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=05e14a620a164436adfae701533b4cd5-Petersen, Dan]; Zemin Wang [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ea9552e19af64d3c9f1c06cf415be822-Zemin Wang]; White, Louise (HC/SC) [louise.white@canada.ca]; Bussard, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cf26b876393e44f38bdd06db02dbbfe5-Bussard, David]; Farrar, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=edef06d4c2984c0ca28018de77009f4f-Farrar, David]; Young, Melanie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=68e2dfcf2de44532a6fc488358383008-Young, Melanie]; Blessinger, Todd [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f5240ca690c84f8fb20bac6fd7273fd5-Blessinger, Todd]; Kopylev, Leonid [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=abfe6798809e4c8c8a27452ec86726d8-Kopylev, Leonid]; Brinkerhoff, Chris [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8d96248a62bd42bd9a6cd12e5adedaa5-Brinkerhoff, Chris]; Hogan, Karen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb7dc31713d443f0a322f0163d8d7c73-Hogan, Karen]; Wright, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0087b3fe163145869deead8b626fbfa3-Wright, Michael]; James E. Klaunig [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=95573202fd414b80b0699a2f050205b4-James E. Kl]; Meghan Lynch [Meghan\_Lynch@abtaassoc.com]; Theodore, Shaji [Shaji.Theodore@fda.hhs.gov]; Nance, Patricia (nancepm) [nancepm@ucmail.uc.edu]; shays@scipinion.com; Kapraun, Dustin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3a53c151b92a472fbfb295ed5df982a7-Kapraun, Du]; Simmons, Jane [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fd75018b00b4fc29134386374395f44-Simmons, Jane]; Scarano, Louis

[/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=298e8a818eb6426bb5731a202ab1ac17-Scarano, Louis]; Boobis, Alan R [a.boobis@imperial.ac.uk]; Evans, John S. [jevans@hsph.harvard.edu]; Hearl, Frank J. (CDC/NIOSH/OD) [fjh1@cdc.gov]; Wesselkamper, Scott [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c61317cf75984db888d4aa52676e3f05-Wesselkamper, Scott]; helen.goeden@state.mn.us [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b567d1e3f235405783e08b0064579be0-helen.goeden@state.mn.us]; ted@TedSimon-Toxicology.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=94b4028cf7c342488de5bf9c47e6a304-ted@TedSimon-Toxicology.com]; Farland, William [William.Farland@ColoState.EDU]; Mansi Krishan [mkrishan@ilsa.org]

**Subject:** Monthly DRSG Meeting

**Attachments:** DRSG By-Laws 07-03-2018.doc

**Location:** Adobe Connect: <https://epawebconferencing.acms.com/drsg/> call in for audio

**Start:** 9/4/2018 4:00:00 PM

**End:** 9/4/2018 5:00:00 PM

**Show Time As:** Tentative

**Recurrence:** Monthly  
the first Tuesday of every 1 month(s) from 12:00 PM to 1:00 PM

Today's meeting agenda below:

- **Student Award winners**
- **Amendment of By-Laws**
  - Attached is a version of the DRSG bylaws with markup showing, to now include a graduate-student/postdoctoral representative, with a term of 1 year (individuals can serve for 2 terms).
  - There is also a clarification that election of officers can be by paper or electronic mail.
  - These changes are being recommended to the group by the DRSG Executive Committee along with the Councilors participating in DRSG meeting held on 7/3
- **Officer Elections**
  - Chair elect: *Chair an Annual DRSG Meeting at the Annual Meeting of the Society for Risk Analysis, work with SRA officials to organize DRSG meetings or panels, and take other actions requested by the DRSG's Officers or that are in the interest of the DRSG.*
  - Secretary/Treasurer: *Maintain a record of actions of the DRSG's Officers and the meeting, working as appropriate with the SRA Secretariat, maintain the financial records of the DRSG, and communicate relevant information to the DRSG membership.*
  - Trustee At Large

Audio information for our monthly DRSG call:

Dial-in: Ex. 6 Conference ID: Ex. 6

## DOSE-RESPONSE SPECIALTY GROUP

### BY-LAWS

#### I. Name and Purpose of Specialty Group

The name of the group is the Dose-Response Specialty Group (DRSG) of the Society for Risk Analysis (SRA). The purpose of the group is to facilitate the exchange of ideas and knowledge among practitioners, researchers, scholars, teachers, and others interested in dose-response assessment, to encourage collaborative research on dose-response assessment, and to provide leadership and play an active role in advancing issues related to dose-response assessment.

#### II. Members of the DRSG

Members shall consist of all people with an interest in dose-response assessment who indicate a desire to be members by submitting their names to the Secretary-Treasurer or the Secretariat, and who pay the annual dues to the Society for Risk Analysis. It is the option of the Executive Committee to request dues for membership to the DRSG. Payment of annual dues to the specialty group is required only for officers and voting members.

#### III. Meetings of Members

Annual meetings of the DRSG will be held in conjunction with the Annual Meeting of the Society for Risk Analysis. Announcements of the annual meetings will be included in the printed program of the Society.

#### IV. Government of the DRSG

- A. Seven-Eight Officers will govern the DRSG: a four-member Executive Committee and three-four Trustees. The Executive Committee consists of a Chair, a Chair-Elect, a Vice-Chair, and a Secretary/Treasurer. The Trustees consist of two Trustees-at-Large, and the Past President, and a Graduate Student/Postdoctoral Representative.

- B. The duties of these officers are:

Chair: Chair an Annual DRSG Meeting at the Annual Meeting of the Society for Risk Analysis, work with SRA officials to organize DRSG meetings or panels, and take other actions requested by the DRSG's Officers or that are in the interest of the DRSG.

Secretary-Treasurer: Maintain a record of actions of the DRSG's Officers and the meeting, working as appropriate with the SRA Secretariat, maintain the financial records of the DRSG, and communicate relevant information to the DRSG membership.

Chair-Elect: Coordinate and encourage the development of symposia for the annual meeting and solicit and track ideas for presentations at open teleconferences or other activities of the group. The president-elect may stand in for the president at a meeting should the president be unavailable.

Vice-Chair: Coordinate and administer the yearly student award program. This should include publication of the award program, collecting submissions, forming and chairing a committee to select the winners, informing the winners, and distributing the awards.

Graduate Student/Postdoctoral Representative: Solicit nominations for the yearly student award program. Serve as a conduit for input to the Executive Committee on issues of interest to graduate students and postdoctoral research associates in risk analysis. To be eligible, this individual must, at the time of nomination, be either (a) enrolled in a post-baccalaureate Master's or Doctoral degree program relevant to risk analysis (in the case of a Graduate Student) or (b) employed in a non-tenure track, temporary position (such as a postdoctoral research associate) within 3 years of receiving his/her PhD. This person may be nominated for a second two term if they are still eligible.

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DRSG Executive Committee: Fill vacancies in any office including its own membership until the next election; nominate candidates for officer positions and solicit nominations from the membership, propose amendments to these By-Laws or receive petitions for changes in the By-Laws; make decisions and recommendations for any other business of the DRSG; encourage and promote the advancement of issues related to dose- response assessment; establish liaisons where appropriate with other societies and groups engaged in similar or related activities; and interpret these By-Laws. Liaisons with other societies or groups will be members of the DRSG Executive Committee or appointees of the Executive Committee.

- C. The election of officers shall be by mail (paper or electronic) ballot prior to the DRSG Meeting at the Annual Meeting, with the elected officers taking office at the conclusion of the DRSG Meeting. The election of officers shall proceed as follows:
1. Prior to the annual DRSG Meeting, the Executive Committee shall inform DRSG members of the nominations through the *RISK Newsletter*, Preliminary Annual Program, a mailing, or other means. The Executive

Committee shall also inform members to whom they can send additional nominations. Any nominee who indicates a willingness to serve if elected shall be added to the ballot. The period for additional nominations will close 30 days after the sending of the Executive Committee's list of nominees to members.

2. If no nominations for the position of Chair-Elect are made, the Executive Committee, at its discretion, will (1) appoint one of the Officers to this position for a term ending at the next annual business meeting of the DRSG, or (2) create a position of rotational Chair for that year, and appoint individual members of the Executive Committee to terms of rotation, each to be specified by the Executive Committee.
  3. If no nominations for the position of Secretary-Treasurer, ~~or Vice-Chair~~ or Graduate Student/Postdoctoral Representative are made, the vacant position will be appointed by the Executive Committee (1) from the Officers, or (2) if no Officer is willing to accept the vacant position, then from the DRSG general membership, for a term ending at the next annual business meeting of the DRSG.
  4. At the conclusion of the period for addition nominations, the Executive Committee shall send a ballot to members at least 30 days before the Annual DRSG Meeting. The results shall be announced at the Meeting.
  5. Election shall be by confidential ballot. Officers shall be elected by a plurality vote. In the case of a tie, the winner will be chosen by drawing lots.
  6. Question or conflicts regarding any election shall be settled by the Executive Committee, with the Trustees also voting in the case of a tie among the Executive Committee.
  7. In the event that an officer is unable or unwilling to complete their term of office, the Executive Committee may fill the vacancy with an individual of their choosing on an interim basis until the next election, at which time a replacement (possibly the individual selected for the interim) will be elected to fill the remaining term of the officer (i.e., for the 2<sup>nd</sup> year of a 2-year position).
- D. The terms of office for DRSG Officers are:
- Past-Chair: 1 year  
Chair: 1 year, after which she or he succeeds to Past-Chair.  
Chair-Elect: 1 year, after which she or he automatically succeeds to Chair.  
Secretary-Treasurer & Vice-Chair: 2 years, staggered. In the event that both must be elected in the same year, one of these will be for a 1-year term.

Trustees-at-Large (2): 2 years, staggered. In the event that both must be elected in the same year, one of these will be for a 1-year term.  
Graduate Student/Postdoctoral Representative: 1 year.

## **V. Amendments to the By-Laws**

Amendments to these By-Laws may be proposed at any time by the Executive Committee or by petition containing signatures of 25% of **PAID** DRSG members, or by majority vote of the participants at the annual DRSG Business Meeting. Amendments to these By-Laws may be enacted by either: 1) A majority vote of responding DRSG members via email or standard mail; 2) A majority vote of DRGS members attending the annual DRSG business meeting. The intent of these rules is to allow changes to By-Laws to occur at the annual business meeting, immediately following a proposal to change the By-Laws at the same meeting, as well as at times other than the annual meeting, where necessary. Although the rules allow for the proposal and enactment of changes at the annual meeting, the executive committee is encouraged to provide at least 30 days of notice to the membership of its intent to enact changes to the By-Laws at the annual meeting.

## **VI. Implementation of these By-Laws**

These By-Laws will go into effect when approved by a majority vote of those present at the Annual DRSG Meeting or immediately after approval of these By-Laws.